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Navigating gendered criminalisation:  
Women's experiences of punishment  
in the community

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PHD 2020

Navigating gendered criminalisation:  
Women's experiences of punishment  
in the community

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A thesis submitted to Manchester  
Metropolitan University for the  
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Faculty of Arts, Humanities and Social  
Science

Department of Sociology

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## **Abstract**

Understanding the experiences of criminalised women as they navigate punishment and criminal justice supervision within the community is an area that has been largely overlooked within mainstream criminology. The implementation of Transforming Rehabilitation (2013) fundamentally changed the delivery of women's community punishment, with a more formal move to integrating unpaid work and probation supervision into gender-specific community settings, such as women's centres. This movement led to a contradiction between the pains of punishment and the aim of female empowerment traditionally associated with women's centres. Despite this change, how women experience punishment in the community in a post-Transforming Rehabilitation era is still largely unknown.

This research uses Participatory Action Research (PAR) within a Feminist methodology to co-produce with criminalised women a piece of research that draws attention to their daily experiences whilst subject to community punishment. This approach captures the 'view from below' and in doing so identifies how criminalised women must visibly manage trauma whilst demonstrating desistance to female practitioners to successfully navigate through the penal field. These practices are deeply gendered, with the female practitioner playing a significant gendered regulatory role via the mechanism of mimesis. Consequently, demonstrations of motherhood, homemaking, and physical transformation becoming key signifiers of reform.

From the findings and analysis of this co-produced study, and within the space created by the Feminist PAR methodology, a new model that theorises how women navigate gendered criminalisation presented itself. This model offers a framework for understanding how punishment in a gender-specific support setting creates a specific mechanism of control that utilises gendered expectations as part of a regulatory process of gendered social control and reform. By understanding how punishment intersects with women's daily lives, directly from criminalised women, this theoretical model offers the potential to explore the significance of gender and institutional social control beyond the penal field.

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## **Publications resulting from this research**

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- Harding, N. A. (2020) 'Co-constructing feminist research: Ensuring meaningful participation while researching the experiences of criminalised women', *Methodological Innovations*. SAGE Publications Sage UK: London, England, 13(2).
- Harding, N. (2017). Picturing Subjugated Knowledge. In Atkinson, K., Huber, A. R. & Tucker K. (Eds.), *Voices of Resistance: Subjugated knowledge and the challenge to the criminal justice system*. EG Press Limited.
- Harding, N. (2018). Places on probation: an auto-ethnography of co-produced research with women with criminal biographies. In Plows, A. (Ed.), *Messy Ethnographies in Action*. Vernon Press.
- Harding, N. (2017). Why feminist criminology must pose a methodological challenge to male-centred criminological theory. *Emerging Voices: Critical Social Research by European Group Postgraduate and Early Career Researchers*, 105–118.

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## **Chapter 1: Introduction**

In early 2008, whilst pregnant with my third child, I stood in the dock at Liverpool Crown Court and was sentenced to nine months in prison, suspended for two years, with probation supervision. The following two years were spent subject to community punishment and probation supervision by the CJS in the North West of England. What I didn't know when I was sentenced was that I had entered the criminal justice system (CJS) just after the publication of the Corston report (2007), at a time when policymakers were slowly getting behind Baroness Corston's recommendations for a 'women-centred approach' (2007). This included the strengthening of a network of women's centres across England and Wales so that they may provide a gender-specific response to law-breaking outside of the prison estate. These gender-specific changes would go on to shape the rest of mine, and the lives of thousands of other women. Despite initially attending probation supervision meetings alongside men, after eight months I made a self-referral to the women's centre, where I then spent the remainder of my sentence. It was during my daily attendance at the women's centre that I experienced programmes intended to promote rehabilitation and reform, and ultimately my future desistance.

Having experienced community punishment in the two years after Baroness Corston's report (2007), I fully expected to see reflections of my own experiences in this research. My awareness of my connection to this research area informed my insistence that this research must be participatory, solidifying my epistemological and methodological positioning. However, also aware of recent policy changes such as 'Transforming Rehabilitation (TR)' (Ministry of Justice, 2013), I understood that the everyday experience of living with a community sentence as a woman, during this period of political and institutional change, was currently unknown. To address this gap in our knowledge and understanding this research attempts to capture the experience of community punishment and

probation supervision from the perspectives of women punished in the community during a post-Corston (2007) and post-TR era.

This chapter introduces the research and situates my position as researcher, including an overview of the policy contexts that have led to this gap in understanding of the lives of women subject to community punishment and probation supervision. It also considers the marginal space in which women exist, both in criminal justice policy and the discipline of criminology itself by examining the theoretical context of this research. The chapter finishes by considering the methodological context of the research, setting out the research questions this research seeks to answer, before offering an overview of the key findings and contribution to knowledge this research offers.

### *Situating the researcher*

This research examines the experiences of women subject to community punishment and/ or probation supervision. This is an experience that both I, as the researcher, and the women within this study share as I was sentenced to a nine-month suspended prison sentence, suspended for two years with probation supervision in 2008. My own lived experience as a working class single mother, with experiences of poverty, domestic abuse, punishment and social services involvement meant that not only did the women and I share experiences of punishment, but the day to day contexts of our lives also shared many similarities. It is by reflection upon these similarities and the role of my lived experience of punishment informing the focus of this study, playing a role in the recruitment of participants, informing the methodological approach and serving as part of my analytical framework that I must situate myself as an 'insider' researcher.

Insider researchers are generally considered to be researchers examining their own social group, organisation or culture (Greene, 2014). I do not identify women with a criminal conviction a homogenous group in this way, in fact within this research I identify that whilst we may all share similar

experiences it is precisely the assumption that women subject to the control of the criminal justice system that needs to be challenged in order to fully understand the implications of community punishment for women. However, I identify as being an insider research within this research as the implications of shared lived experience as the women at the focus of this research are similar to those of insider researchers in informing the research process.

It is only by experiencing punishment and then going on to complete a Criminology Undergraduate and Master's degree that I understood and evaluated Criminal Justice policy that related to my own experiences of punishment. I recognised that I had benefitted from the first wave of funding that arrived to create new women's centres in the years following the Corston report (2007). As such, I was able to identify the ways in which the implementation of Transforming Rehabilitation (2013) might intersect with the Corston report (2007). This informed my understandings of the policy context surrounding this research.

My positionality also informed the theoretical focus of this research. I knew that experiencing community punishment could only be examined within the context of wider oppressions that punctuate women's lives. As such this research rests upon a critical feminist theoretical framework which identifies the androcentric nature of criminology as a discipline (Heidenshon,1968,) drawing from key feminist writings in order to link the experience of women subject to punishment to wider feminist issues. My subjective positionality as a critical feminist researcher also acknowledges that my lived experience contributes to an activist / researcher focus in this research.

Finally, I could not conduct this research in light of my lived experience and theoretical positioning without taking a feminist participatory methodological position. Here, high levels of reflexivity are essential in order to promote objective validity. In addition, a participatory methodology was specifically selected to foreground the experiences of the women I co-



produced the research with, aiming to flatten research hierarchies and promote 'the view from below' (Scruton, 2016).

Whilst I have addressed the policy, theoretical, and methodological contexts separately here, and will continue to below, reflecting upon the importance of situating myself as an insider researcher with lived experience of community punishment is the thread that runs through how I understand the significance of the policy context and how this influences the way in which women feel and experience punishment. This informed my feminist theoretical position and the methodological context that champions meaningful participation in research through co-production and high levels of reflexivity. As such, it is my unique position as a researcher that links these important foundational aspects of the research. I will discuss the policy, theoretical, and methodological contexts below before detailing the research questions which stemmed from these contexts and then detailing the unique contribution to knowledge that is a result of conducting this research.

### *Policy context*

The starting point for much of the contemporary research focusing on women's experiences of punishment is the findings and principles detailed in the Corston Report (2007) completed during the early 2000s (Annison, Brayford and Deering, 2015). There is a consensus that while some aspects of how we punish women have improved since Corston (2007) there has yet to be an overall 'paradigm shift' that sees women in the community and not in prison (Annison, Brayford and Deering, 2015, p. 21). The most significant influence over women's experiences of criminal justice since Corston (2007) was the national changes implemented after the publication of 'Transforming Rehabilitation; a strategy for reform' (Ministry of Justice, 2013). Yet many feminist criminologists pre-empted these changes by highlighting the political trends that led to TR, such as the influence of the Carter report (2003), and the influence on women's punishment, from as early as 2006 (Hough, Allen and Padel, 2006; Worrall and Gelsthorpe, 2009;

Corcoran, 2011; Gelsthorpe and Hedderman, 2012; Annison, Brayford and Deering, 2015). Therefore, whilst Corston (2007) is still regarded as the most significant turning point for the punishment of women in both prison and the community, the political trends beyond Corston (2007) led towards TR, which by part-privatising the probation service, directly changed the face of gender-specific provision within England and Wales. To fully understand the policy context within which this research was conducted, an examination of both the Corston report (2007) and the TR strategy is necessary.

The Corston report (2007) makes important observations and recommends changes to the CJS, with implications that extend beyond the reach and scope of criminal justice, towards social justice and society's response to criminalised women in England and Wales (Annison and Brayford, 2015). Specifically, Corston (2007) identifies three categories of vulnerabilities experienced by criminalised women: domestic circumstances, including domestic violence and childcare responsibilities; personal circumstances, such as mental ill-health or substance misuse; and socio-economic factors, such as poverty or isolation. However, these vulnerabilities were not new revelations. Earlier research by campaigning organisations had already produced a large body of rigorous research addressing and examining such issues (Annison and Brayford, 2015). This led Baroness Corston to comment:

‘There can be few topics that have been so exhaustively researched to such little practical effects than the plight of women in the CJS. The volume of material might lead one to suppose that this is a highly controversial area, which might account in some way for the lack of progress and insight in the way women continue to be treated. This is not the case’ (Corston, 2007, p. 16).

At the same time as the Corston report (2007) was collated, The Fawcett Society commissioned a survey of community-based provision for criminalised women (Gelsthorpe, Sharpe, & Roberts, 2007). This survey identified 120 providers, with some of the more established supporting Corston's (2007) recommendation that a distinctive and holistic package of responses for women offenders in the community was needed. As a result

of the Corston report (2007) and the Fawcett Society commissioned survey, women's centres up and down the country took on this role, offering 'one-stop-shop' style holistic interventions, thereby facilitating multi-agency involvement in women's lives (Gelsthorpe & Hedderman, 2012).

However, whilst the Corston report (2007) and a simultaneous survey commissioned by the Fawcett Society (Gelsthorpe et al., 2007) highlighted the need for differing responses in community punishment and supervision settings based on gender, many of the women-only projects that this approach relied on were funded on short-term contracts from charitable organisations (Gelsthorpe & Hedderman, 2012). This insecurity meant that some projects were considered unsustainable and ran out of funding, whilst others survived from contract to contract. This lack of continuous or structural investment was due to how women's centres were dislocated from the political values of the period. The New Labour government of the time promised to be 'tough on crime and tough on the causes of crime', and this, coupled with 'What Works' and evidence-based policy and practice, led to an uneven and contradictory set of messages regarding the treatment of women in the CJS (Annison & Brayford, 2015).

Ultimately, many of the recommendations made by the Corston report (2007) were either stalled or rejected completely. A report conducted by Women In Prison five years after the publication of the Corston report (2007) praised those parts of the report that had been actioned, whilst highlighting the areas in which the report was not adhered to, such as the building of small multifunctional custodial centres that were criticised as too costly and ignored (Annison & Brayford, 2015). They concluded that whilst strides had been made to implement change, the overall impact of the report had not resulted in the radical change that had been hoped.

'The report is worth more than its individual recommendations and part of their importance lies in their outlining a coherent road to reform, rather than a collection of piecemeal changes. Five years and two governments later too little distance has been travelled' (Women in Prison, 2012).

The Corston report (2007) is now over ten years old, and much of the promise that the report held has remained unfulfilled (Annison & Brayford, 2015). This is in part due to the change in government in 2010, and the loss of the 'champion' that Baroness Corston advocated in her report. Despite this, many community-based interventions, such as women's centres, have continued to function in partnership with the CJS (Annison & Brayford, 2015). As has been noted there has been delays or inaction in putting the Corston report's (2007) recommendations into practice. However, the biggest contemporary challenge to the aims and agenda of the Corston Report (2007) came from the Coalition government (the Conservative Party and Liberal Democrats Party, 2010-2015) their vision for the probation service – the TR revolution. The next section details the significance of TR for the probation service before considering the implications of this for women in gender-specific criminal justice provision.

In 2013 the publication and subsequent implementation of TR produced the most significant change to the delivery of probation supervision and community sentencing in over 100 years. Despite many protests by probation practitioners and third sector organisations, TR set the wheels in motion for the part-privatisation of the National Offender Management Service (NOMS). 'Low to medium risk offenders' were placed under the jurisdiction of newly formed Community Rehabilitation Companies (CRC), leaving 'high-risk offenders' under the jurisdiction of the newly re-named HM Prisons and Probation Service (Ministry of Justice, 2013). This restructuring of community punishment directly undermined the call from the Corston report (2007) 'for a distinct, radically different, visibly-led, strategic, proportionate, holistic, woman-centred, and integrated approach' (p.1). Indeed, within the 48-page strategy, just seven paragraphs addressed the needs of female 'offenders' specifically (Ministry of Justice, 2013). Nonetheless, the Lord Chancellor and Secretary of State for Justice at the time, Chris Grayling, did not view this as a barrier to the implementation of TR. This was despite the strategy acknowledging that:

‘Women offenders differ significantly from their male counterparts and that they often exhibit more complex needs. In particular, many women offenders have a background of abuse and first-hand experience of the care system. Women offenders frequently report being victims of domestic violence and nearly two-thirds of women entering custody leave behind dependent children’ (Ministry of Justice, 2013, p. 15).

It was clear that TR had once again side-lined the experiences, needs, and priorities of women who come in to contact with the CJS; influencing practice and impacting the everyday experiences of women subject to community sentences in England and Wales.

One of the most important outcomes of TR for women being supervised in the community is the new challenges faced in the competition for resources within both the CJS and voluntary sector with the introduction of TR. This meant that some women's centres transformed partly or fully into CRCs and now bid for the provision of community supervision and punishment of criminalised women. The impact of this new organisational dynamic on service provision has yet to be fully evaluated. However, the final annual report from Dame Glenys Stacey as Chief Inspectorate of Probation is damning, with the strong statement that ‘the Transforming Rehabilitation model for probation service is irredeemably flawed’ (Stacey, 2019)

However, this should not come as a surprise. Gelsthorpe et al (2012) considered the introduction of payment by results two years before the introduction of the part-privatisation of probation services introduced by TR. They agreed with Fox and Albertson’s (2011) observations that advocates of the payment by results approach claim there to be four main potential benefits:

‘greater efficiency, as resources are focused on where they can do most good; greater innovation, as suppliers are freed up from micro-management of process; reduced cost and a broader range of services as new suppliers are attracted into the 'market' by the prospect of profit and the scope to innovate’ (Gelsthorpe et al., 2007: 10).

However, Fox and Albertson (2011) highlight potential problems with the definition, estimation and measurement of impact. In the short period between consultation and implementation of TR ideals, these issues do not appear to have been resolved. With former charitable and voluntary sector organisations, often grown from the bottom up, electing to become CRC's in order to bid for payment by results contracts, there was uncertainty about if they were equipped to negotiate such issues. These problems were perceived as likely to cause issues with the promotion of and in sustaining community-based services for women (Gelsthorpe and Hedderman, 2012).

The Chief Inspectorate of Probation Annual Report for 2018 showed that the CRCs that make up the privatised arm of probation are failing, with 80% of CRCs implementation and delivery of probation supervision rated as 'inadequate' (Stacey, 2019, p. 4). This lack of quality service is also not making the financial profits that were projected by the TR agenda, with losses of £294 million compared to the £269 million profit that was forecast during the bid stage. Despite TR looking like a failed project, at this stage it is the only working model on offer. As such, the declining service and the over-reliance on third sector organisations directly impact the women in this study as they occupy the intersection between CRC control and third sector sub-contracting of gendered punishment services.

The policy context of this research is significant for the way in which women experience community punishment. It is within the area of Feminist Criminology that the implications of these policy developments for criminalised women have begun to be explored. The next section will explore the theoretical context of this research.

### *Theoretical context*

In research, community punishments and probation supervision are often taken for granted or overlooked aspect of a CJS that is dominated by prison (McNeill and Beyens, 2013). Whilst this is an issue for both genders in the criminal justice population, the already marginal space that women subject

to punishment occupy means that until recently there has been limited consideration of the lived realities of women subject to community punishment in England and Wales. Instead, the experiences of women in prison (Carlen, 1983a; Bosworth, 1999; Carlen and Worrall, 2004; Crewe, Hulley and Wright, 2017), women as victims (Buzawa and Buzawa, 1990), and/or women as criminal justice practitioners (Sampson *et al.*, 1991; Silvestri, Tong and Brown, 2013) have received a greater share of the attention given to women in criminological research. Notwithstanding this, there has been research that has both directly and indirectly informed or affected the lived experience of community punishment for women in England and Wales (Hollin and Palmer, 1989; Clarke, 2004; Player, 2005; Worrall and Gelsthorpe, 2009). Whilst in policy, the publication of the Corston Report (2007) and the strategy for reform of the probation service offered by Transforming Rehabilitation (TR) (Ministry of Justice, 2013) influenced the lives of criminalised women in significant ways. This section will contextualise what we know about criminalised women's experiences of punishment through academic research and the influence of policymakers in directing how institutions of social control shape criminalised women's everyday experiences.

To contextualise the academic research that has shaped criminal justice practice with criminalised women it is necessary to consider the contribution of feminist criminology. Over the past 60 years, a small but growing group of researchers have repeatedly drawn attention to how women who have become subject to criminal justice sanctions, such as incarceration, community penalties, or probation supervision, are often narrowly conceived as lawbreakers who are also female – merely a statistical variable rather than a 'serious' consideration for contributions to broader concerns about criminological theory or the business of doing punishment (Heidensohn, 1968). This flattens the experience of receiving punishment to gender-based variants of a single homogenous state, whilst also marginalising the contribution of such feminist scholars as a niche area of

criminological enquiry whose observations are of little consequence to androcentric 'mainstream' criminological theory.

'The invisibility of women within academic criminology merely reflects a strong patriarchal tradition within the social sciences in general with women's history, experiences, culture, and politics being peripheral to the 'real issues' prioritised for research, teaching, and publication' (Chadwick and Little, 1987, p. 255).

Where there has been an examination of women subject to punishment, feminist scholars have predominantly focused on experiences of prison, rightly due to the harms that prison poses for criminalised women, their children and families (Carlen, 1983b; Segrave and Carlton, 2010a; Moore and Scraton, 2014). Where community sentences have been examined, they are mainly considered as interventions experienced on release from prison, as opposed to punishment in its own right (Brown and Bloom, 2009; Opsal, 2009). This is often due to the marginal position that community punishments and probation supervision occupy in 'mainstream' criminological research (McNeill and Beyens, 2013). Researchers across Europe have attempted to redress the uneven balance between prison-focused research and research examining community punishments in recent years, and it is only now that research priorities are beginning to move from behind the prison gates (COST, 2016).

### *Methodological context and research questions*

Falling at the intersection of research into community punishment and feminist research within the broad discipline of criminology, this research is informed by a deep and sincere commitment to promoting the agency and empowerment of women. Understanding agency and empowerment as:

'not simply a statement of 'women making better choices' or having a responsibility to turn their lives around', but a collective abolitionist strategy demanding the changes necessary in communities and (where possible without compromising visionary abolitionist goals) within state institutions, to address the marginalisation and disproportionate criminalisation of women' (Clarke and Chadwick, 2017).



Women cannot exert their agency and achieve empowerment whilst locked behind prison gates, making an abolitionist perspective vital to this endeavour. Yet we cannot assume that the criminalisation of women is not problematic when punishment occurs within the community simply because of the absence of 'the pains of imprisonment' (Johnson and Toch, 1982; Durnescu, 2011). Therefore, this research is designed to ensure that all women's voices are heard and accepted 'not in ways where the terms are already set by objectifying official discourse (Krumer-Nevo and Benjamin, 2010) but by uncovering and exposing the realities of institutions, power, and injustice' (Clarke and Chadwick, 2017).

Critical social researchers such as Scraton (2016) have highlighted the importance of seeking out the 'view from below' when understanding how the power of institutions are felt by those subject to punishment. As Identified in the context of this research, criminalised women's experiences of community punishment have yet to be adequately examined from the perspectives of criminalised women who are punished within the community. As such the 'view from below' here involves understanding not only how community punishment is experienced by criminalised women, but how punishment intersects with the rest of their lives away from the penal field (Page, 2013), and how top-down changes such as those influenced by the Corston report (2007) and Transforming Rehabilitation: A strategy for reform.

Methodological decisions were made to directly respond to how the knowledge criminalised women hold about themselves has been subjugated. As such, this research employs a feminist and participatory approach. Using Participatory Action Research (PAR) with a mixture of creative, arts-based, methods of data collection, offers a flexible way to include women in research that they themselves want to, and can, participate in, without becoming another pressure in the lives of women who are already facing multiple institutional and personal oppressions.

The choice to work as a group and use the creative methods of photovoice, mapmaking, creative writing and photo-elicitation enabled the women within this research to toy with the transformative potential of creativity. Not only in taking part in creative activities that transformed their experience into a recorded item for them to share but transformation through constructing narratives about themselves. For most of the women involved in this research, this process was a transformative exercise in itself: they were listened to by their peers in ways that assisted in the processing of trauma, and they were able to construct narratives about themselves that helped manage the practitioner's perceptions of them in ways they may not otherwise have opportunity to do. These opportunities to present themselves and be heard have the potential to be transformative in that they can reduce the individual woman's perceived risk and dictate who the practitioner invests their time and effort in to. It is precisely by employing a non-traditional approach to research that alternative narratives have emerged to challenge previously held assumptions about how punishment is experienced and what this then means for the future behaviours of those who have been criminalised. As such the research questions that this research sought to answer are:

1. How do women experience punishment in the community?
2. How do community punishment and probation supervision intersect with the everyday lives of women subject to such sanctions?
3. How does criminal justice policy and practice influence how punishment in the community is experienced by women?
4. How can a better understanding of the experience of women subject to community punishments inform both criminological theory and criminal justice policy and practice?

It is through answering these questions by combining the stories of criminalised women subject to community punishment, observations of

social interactions within the penal field of community punishment, and reflections on my own experience as a criminalised woman in this research that a new model has been produced that theorises the dynamic way that women navigate structures of punishment in the community and gendered social control. This unique contribution has emerged from a deep commitment to research methods, co-produced Feminist PAR, that prioritises the 'view from below' (Scruton, 2016) and seek to expose 'the realities of institutions, power, and injustice'(Clarke and Chadwick, 2017) directly from those women whose daily realities have been shaped by the criminal justice system through community punishment.

### *Contribution to knowledge*

This research has offers three significant contributions to knowledge; a new theoretical model 'navigating criminalisation', the methodological advancement of feminist participatory creative methods to demonstrate how they can make space for the 'view from below' (Scruton, 2016), and a critical contribution to criminal justice policy and practice by highlighting the effects of Transforming Rehabilitation (TR) (2013) on women's centres – transitioning them from holistic, empowering, participatory spaces to sites of control and punishment.

Theoretically, this research challenges theories of desistance that continually place emphasis upon the individual to choose to change; the variation between desistance theories is what they consider having facilitated the decision to change and how change was then achieved. This flattens the experience of social inclusions and exclusion, poverty, racism, and other structural oppressions, placing an over-emphasis on the individual. One of the overarching contributions to knowledge offered in this research is a new proposed theoretical model of 'navigating criminalisation'. This model attempts to capture the dynamic way that intersectionality and process management within such oppressive structures is worked within the

penal field during community punishment to decide upon the end outcome of community punishment for criminalised women.

To fully understand how community punishment and probation supervision intersects with the lives of criminalised women, a participatory approach 'made space' for the emergence of this new theoretical model that challenges existing assumptions about how criminalised women navigate processes of criminalisation, punishment, and reform. A key finding of this research is how women need to demonstrate key characteristics that signal to practitioners a (re)commitment to desisting from further crime. However, these characteristics are also gendered and link to notions of respectability, morality and dominant forms of (white, middle-class, heteronormative) femininity. The second key finding is that, not only have all women experienced trauma within their lives before punishment, but that criminalisation itself results in trauma. The proposed theoretical model attempts to understand how these two processes of demonstrating desistance, whilst managing trauma, simultaneously work together and against each other in a dynamic way to produce different outcomes.

The outcomes found within this research - re-criminalisation, 'success' and institutional warehousing - challenge the notions of rehabilitation and reform as related to desistance. Rehabilitation is considered when a period of time has passed without further law-breaking occurring, when the individual becomes a whole citizen again. Reform focuses on how the person has changed on an individual basis to better represent the norms and values of the dominant society. Here neither rehabilitation nor reform is a consequence of punishment or an experience within the women's daily lives. Rather the women either become recriminalized and the process begins again; or, they are deemed a success and leave the penal field, thus no longer being subject to the same extent of controls and oppressions, or most often they become institutionally warehoused and remain in a liminal space of no longer subject to punishment, but without being considered either rehabilitated or reformed.

Despite the overall focus of policymakers on rehabilitation and reform as pathways towards desistance, the narratives of the women in this study show that the ability of a criminalised woman to exit the penal field is often very limited to women who were relatively economically, culturally, and socially privileged before receiving punishment. A woman's intersectional position in society before criminalisation, and how closely this aligns with the dominant group (practitioners) within the specific context of punishment (women's centre), is one of the most influential indicators of the type of experience she will receive whilst subject to community punishment. This places the female practitioner in a position to be able to either help women who portray characteristics that conform to the same norms and values as her own and hinder those who do not.

This research contributes to a critical dialogue that recognises how the influence of the Corston Report (2007) situated women's centres as the community based 'one-stop-shop' that meets the gender-specific needs and vulnerabilities of women in the justice system has ensured their survival up until the introduction of Transforming Rehabilitation (TR) (2013). However, since the introduction of TR, the whole ethos of women's centres has changed, with community punishment (as facilitated by female practitioners) now taking place within the grounds of the women's centre. This has led to a shift in the dynamic within women's centres from empowerment to oppression and control. Alongside this shift, the lack of available support services caused by the decrease in funding for community interventions means that to access support, more and more women are being 'forced' to continue to access women's centres beyond punishment. Whilst this is viewed positively by women's centre staff as engagement appears high, it has severe consequences for the women who remain institutionally warehoused. The fundamental fact is social issues should not (and arguably cannot) be solved in systems created for punishment and retribution, and punishment and retribution (through the use of unpaid

work and probation surveillance) should not be brought into spaces originally tasked with solving multiple complex social issues.

## **Chapter 2: Literature review**

Within the existing literature on women's experiences of punishment, the primary focus of researchers have mainly been the lives of women who are imprisoned (Carlen, 1983b, 1998; Segrave and Carlton, 2010a; Moore and Scraton, 2014; Crewe, Hulley and Wright, 2017). Furthermore, analysis of the experiences of women in prison constructs them as either victims or resisters (Quinlan, 2006). In comparison, apart from a few recent key studies (Hedderman and Gunby, 2013; Malloch, Mcivor and Burgess, 2014; Fitzgibbon and Healy, 2017; Fitzgibbon, Henry and Strapkova, 2018; Barr, 2019), little consideration has been given to the experiences of women who are punished within the community. As such, how community punishment impacts the material reality of these women's lives has yet to be analysed to the same extent and rigour as it has for women in prison. This is somewhat surprising due to the growth in community sentences in recent years (McNeill and Beyens, 2013), and with the percentage of women subject to community sanctions running at approximately three times higher than the percentage of women in prison (Ministry of Justice, 2018).

As of September 2017, there were 265,047 individuals subject to community punishment, compared with 84,373 individuals in the prison system at the end of December 2017 (Ministry of Justice, 2018). Within these statistics, a total of 18,711 women were sentenced to a new community punishment during 2017, with women making up 16% of all new community orders or suspended sentences during that year (Ministry of Justice, 2018). Much higher than the number of women who make up just 5% of the overall prison population in 2017 (Ministry of Justice, 2018). The number of women in prison has remained fairly stable, whilst the number of women experiencing community sanctions has grown and continues to grow. Yet the focus remains on women's experiences of prison rather than criminalised women in the community. This is perhaps due to the perception of punishment in the community as 'easier' to experience than imprisonment (Fitzgibbon and Healy, 2017).

By seeking to understand the experiences of women who have been sentenced to community punishment, this research aims to address this imbalance. As such, this chapter reviews literature which examines various related conditions and experiences linked to the daily lives of women subject to punishment. Broadly, these conditions and experiences are considered here through the literature on gender and intersectional oppression, trauma, labelling and stigma, spaces of social control, and community punishment (including desistance-focused practice). By bringing together these separate areas of literature, this chapter will demonstrate the 'patchwork' understanding of the lived experiences of women subject to community punishment that is currently available. This literature will demonstrate that although there is a small body of work that has begun to examine women's experiences of community punishment (Carr *et al.*, 2015; Goldhill, 2019; Greenwood, 2019), such studies have been limited to the specific impacts of gender on how community punishment is experienced. However, there has been little theorisation regarding how reducing gender to an object of analysis can then serve to reinforce oppressive gendered hierarchies. By situating this research within existing literature in gender studies, critical criminology, human geography and psychology we can begin to understand the full impact of community sanctions on women's lives and understand punishment as an extension of gender-based oppressions.

### *Gender and everyday life*

This literature review will begin by examining key works that offer understandings of what it means to be a woman. Beginning here is a recognition that when examining the life worlds of criminalised women, it is important to separate what it is about that experience that is due to the realities of punishment and what is due to the gendered oppressions felt, to varying degrees, by all women. By examining the works of Simone De Beauvoir (1949/2011), Judith Butler (1990), Beverly Skeggs (1997) and Kimberle Crenshaw (1990), and the theoretical significance of Bourdieu (1985) for feminist research, this chapter will critically consider what is



already known about the importance of the gender identity “woman” and how this relates to the lives of criminalised women.

Simone De Beauvoir (2011) was one of the first philosophers to examine the world from a feminist perspective. Her book, *Le Deuxième Sexe*, written in 1949 and later translated into English as ‘The Second Sex’ laid out how men oppress women by othering the entire gender. Here De Beauvoir (2011) identified that men were always the subject, and the women the other. As such women lead a life of the ‘other’ and are de-humanised. Ultimately, De Beauvoir (2011) aimed to show that women are not born feminine but are shaped to be feminine through multiple external processes. Women are conditioned and controlled from birth right through adulthood into being passive, dependant, and inward and to embrace a life of repetition. Importantly, De Beauvoir (2011) made the point that a woman’s character was shaped by her circumstances, with characteristics such as perceived idleness stemming from the structures present within women’s lives rather than innate character flaws. De Beauvoir’s (2011) work complements the notion of women’s law-breaking and criminalisation as stemming from oppressive structures rather than an innately ‘bad’ character or dispositions for deviant behaviour. Though a piece of work of its time, De Beauvoir’s (2011) assertions can be seen in feminist research practises that state that women are better placed to examine “othered” groups rather than men, due to women as a whole occupying space as an ‘other’ (Harding, 1987).

Whilst De Beauvoir (2011) began to unpick what it means to be a woman, Butler (1990) went on to critique how feminist readings have supposed an existing identity assumed to be “woman”.

“The political assumption that there must be a universal basis for feminism, one which must be found in an identity assumed to exist cross-culturally, often accompanies the notion that the oppression of women has some singular form discernible in the universal or hegemonic structure of patriarchy or masculine domination” (Butler, 1990, p. 3).

Butler (1990) regards gender as performative, yet the origin of this performative act conceals itself in its very performance. Therefore, the idea of 'a seamless category of women, inevitably generates multiple refusals to accept the category' (p4). She considers this construction of the category of woman to be the starting point for the regulation of gender relations.

"Gender is a "corporeal style," an act (or a sequence of acts), a "strategy" which has cultural survival as its end, since those who do not "do" their gender correctly are punished by society. It is a repetition, a copy of a copy and, crucially, the gender parody Butler describes does not presuppose the existence of an original, since it is the very notion of an original that is being parodied" (Butler, 1990, pp. 139–140).

It is through these notions that Butler uses the concept of mimesis to understand how gender ideals are replicated. Gendered ideals are imitated, through a parody of what it means to be feminine. Unlike Irigaray (1985), who identifies mimesis as a strategy utilising language, Butler (1990) viewed mimesis as the process constituting the subject. Irigaray (1985) saw mimesis as a 'strategy that has the potential to reveal the construction of Woman by illuminating through 'playful repetition' what is supposed to remain invisible' (Bell, 1999, p. 139). So whilst Irigaray (1985) and Butler (1990) arrive at the function of mimesis in gender relations differently, Butler (1990) does acknowledge the potential for gender relations to become disrupted when we can see the often unseen relationship between discursive and hegemonic ideals and the constitution of the subject (Bell, 1999).

Butler (1990) is concerned with those who subvert gender identity by behaving in ways that parody the opposite gender. She does this through an examination of drag. Drag is men playing with the gender parody of a woman. However, this gender parody comes from a privileged position of being a man. If the examination was of women who subvert feminine gender identity the study may well be looking at women in the CJS. Butler (1990) lays out the controlling nature of gender performativity, something that is

incredibly important within the CJS where women are examined and reformed.

Within Butler's (1990) work, she views the potential for miming differently or 'showing the alterity within the norm' as a 'promising' way within which divisions of gender and sexuality could be broken down or blurred (Bell, 1999, p139), and in turn gendered oppressions. However, unlike Irigaray (1985), she implies that using mimicry of the 'wrong' ideals as subversions or resistance, by flouting the 'hegemonic relations between bodies, identities, and performance', may entail too many risks for the individual (Bell, 1999, p139).

Returning to Butler's (1990, p 112) earlier notion that 'if gender is something that one becomes – but can never be – then gender is itself a kind of becoming activity', we can understand how gender, using the action of mimesis, is part of the reforming process of women subject to criminal justice sanction. The process of reform is intrinsically linked with feminising processes and gendered mimesis, where the (re)criminalised woman is a failed subject.

Expanding on the notion that there is not one category of woman, and that women should not be examined as a homogenous group, is the work of Bev Skeggs (1997). Skeggs (1997) considered the intersections of class and gender in her longitudinal ethnographic study of working-class women as they progress through caring courses, relationships and domesticity. Here she explores the different ways class becomes a form of value as it attaches to different bodies, with respectability becoming 'one of the most ubiquitous signifiers of class' (Skeggs, 1997, p. 1)

Utilising Bourdieu's (1986b) methodological and theoretical toolkit, Skeggs (1997) explains how the social world we live in, and the spaces we occupy, are historically generated; with capital often becoming transferred over generations. When we are born into our intersectional position in society we

are also bound by the understandings of this position from those who have been before us (Moi, 1991; Skeggs, 1997).

‘Each kind of capital can only exist in the interrelationships of social positions; they bring with them access or limitation on which capitals are available to certain positions. They become gendered through being lived, through circulation, just as they become classed, raced and sexed: they become simultaneously processed’ (Skeggs, 1997, p. 9).

Bourdieu (1985) developed the concept of capital as a way of obtaining an advantage, or through a lack of capital, experiencing disadvantage in society. Social capital is accrued through relationships between family and broader social networks. Economic capital is inherited, earned or given through the transfer of monetary assets. Cultural capital relates to other forms of capital; in its embodied state, it is formed of the characteristics of the mind and body, such as femininity or masculinity. In an objective state cultural capital appears as cultural goods, and in an institutionalised state it appears in the form of educational qualifications. Symbolic capital is ‘the form different types of capital take once they are perceived and recognised as legitimate’ (Skeggs, 1997, p. 8; Reay, 2004).

Bourdieu (1985) offered a theoretical toolkit of habitus, field, and various forms of capital (social, cultural) that enables researchers to examine the dynamics between institutional power structures and the individual agency of those subject to the structures. Bourdieu (1985) regarded the state as the place where legitimate identities were created, legitimising practises of inclusion and exclusion. A space in which the universal or hegemonic characteristics, practises, or activities are created at the expense of others. The state has the ultimate power to subordinate. His work on symbolic violence offers another approach to understanding why we behave the way we do within such structures and how this replicates structural inequalities and other oppressions based upon hierarchies of power. It does this through ignorance of the arbitrariness of domination, recognition of this domination

as legitimate, and an internalization of domination by the dominated (Bourdieu, 1991).

Whilst Bourdieu's work did not engage with feminism, Skegg's (1997) and other feminist scholars, built their work on his, explaining that his work 'is useful because of the parallels between feminist approaches to epistemology and methodology, in which theoretical frameworks and political programmes are always embedded in social relations' (Skeggs, 2004, p. 20). Indeed, his work offers an 'explanatory power' as he links objective structures to subjective experience, or structure to agency (Skeggs, 2004). Bourdieu's (1998) critique of the state and the way in which power is structured to oppress without question also offers understanding of why, despite periods of radical social change and feminist activism, women are still punished in similar ways by the state.

Women's intersectionality can offer a certain amount of varying forms of capital; cultural, economic, political, and symbolic. The amount of capital a woman has, and her ability to mobilise that capital advantageously, will determine her likelihood of criminalisation. Bourdieu (1986b) imagines a process in which one form of capital is exchanged or transformed into another, such as the exchange of cultural capital through educational qualifications into economic capital through using those qualifications to obtain a well-paid job. Those with insufficient capital will likely face harsher sanctions when criminalised, as by lacking social or economic capital, individuals are unable to summon the resources required for legal counsel. Lacking the correct form of feminine cultural capital - by deviating from white, middle-class notions of femininity that are deemed 'respectable' - leads to value judgments from those in power, ultimately leading to (re)criminalisation.

Notions of 'respectability', however, are not just bound within class, but rather permeate all power relations, such as sexism and racism. Kimberle Crenshaw (1990) drew attention to this through her writings about

intersectionality. Here she identified how identity politics within certain strands of feminist and liberal thought promoted the social power in delineating difference as a source of social power rather than the power of domination. However, as people come together to tackle key social issues, such as violence against women, these groups fail to recognise intra-group differences and how other aspects of women's identity, such as class and race, will dictate her experience, vulnerability, or even ability to speak out about such things. As Crenshaw (1990) points out whilst 'sexism and racism readily intersect within the lives of real people, they seldom do in feminist and antiracist practises' (p1242). As Skeggs' (1997) has demonstrated with her examination of class and gender, Bourdieu's (1985) framework of habitus and capital can also be utilised here in a dynamic way that takes an intersectional examination of women's experiences of various forms of oppression, including punishment.

Gendered oppression creates situations that inflict trauma. As such, it is important to consider the contribution of Judith Herman's (1992) work that understands how traumatic events are part of the fabric of everyday life for some people as they 'overwhelm[s] the ordinary human adaptations to life' (1992, 33).

'traumatic events generally involve threats to life or bodily integrity, or a close personal encounter with violence and death' (Herman 1992, p. 33).

Women, particularly those facing greater intersectional oppression, are more likely to experience traumatic events such as childhood trauma, physical and sexual abuse, and domestic violence. Suleiman (2008) notes that a more neurologically based definition of trauma is that certain events produce 'an excess of external stimuli and a corresponding excess of excitation in the brain. When attacked in this way, the brain is not able to fully assimilate or "process" the event' (Suleiman, 2008, p. 278). This results in various mechanisms for managing trauma, such as psychological numbing and shutting down emotional responses that are considered 'normal'.

Divergent responses such as the use of humour or imagined futures can also demonstrate the management of trauma in everyday life (Herman, 1992).

From these key bodies of feminist scholarship, it becomes possible to visualise some of the critiques about using sex and gender as mere units of analysis. By imagining women's experiences in this way, we reduce 'woman' to a homogenous group, a deviation of the category 'man'. Yet Butler (1990) argued against such understandings, inviting us to think critically about how gender is produced and reproduced, introducing us, albeit indirectly, to the concept of mimesis (Girard, 2008) as a way of understanding the social interactions and processes that inform gender performativity. Skeggs (1997) expands on this by highlighting the interaction of class and gender, offering Bourdieu's (1985, 1986b) theoretical and methodological toolkit as a way of understanding the interplay of structure and agency within women's lives. Crenshaw reminds us that class and gender are not the only important intersections that inform women's lives, but that other dimensions of women's identities, such as race will underpin their everyday experiences. This can be seen most clearly within the penal field where Black women are more likely to be incarcerated for similar offences than white men and women are (Clarke and Chadwick, 2017), as such Black women's daily experiences and experiences of criminalisation will differ from their white peers. Understanding what it means to be a woman, including gender, class, race and other intersections is a key starting point for framing women's experiences of punishment. The next section will examine the literature that pertains to being a woman subject to punishment.

### *Women and punishment*

Despite several key studies into gender differences, and how this manifests in criminal justice practice (Hedderman, 2011), it was only on the deaths of six women at Styal prison in Greater Manchester during 2006 that steps were made by the government to understand why the CJS was failing criminalised women (Gelsthorpe & Hedderman, 2012). It was hoped that the commissioning of a report by Baroness Corston (2007) into vulnerable

women in the CJS would inform new policies that may address ways to improve the outcomes for women who come in to contact with the CJS. The report identified the lack of attention that had been hitherto paid to criminalised women, both in prison and the community, by policymakers; confirming that women's needs in criminal justice were not being met by the CJS. The Corston report (2007) highlighted how custodial sentences are often disproportionate and/or inappropriate for women who have committed minor crimes that are principally non-violent. The report made recommendations that aimed to improve the approaches, services, and interventions offered or imposed on women already within the CJS, or are at risk of criminalisation (Annison & Brayford, 2015).

'The thrust of the report was that women's vulnerabilities should be identified and worked with to reduce their offending behaviour and that 'community solutions for non-violent women offenders should be the norm'' (Annison & Brayford, 2015: 1; Corston, 2007: 9).

The report aimed to systematically change women's experiences of the CJS and was viewed by some as offering a fairly radical departure from contemporary discourses of the time within criminal justice (Annison and Brayford, 2015). As such, the Corston Report (2007) has been fundamental in the creation of gender-specific probation and rehabilitation services for women that have persisted as the main community intervention for women over the last ten years (see Chapter 1.2 for a fuller discussion of the report).

The influence of the Corston report (2007) within criminology and criminal justice trends, and how this report has affected the lived experiences of women in criminal justice, means that punishment cannot be separated from political life. Before the publication of the Corston report (2007) Carlen and Worrall (2004) highlighted the contradiction between what has been accepted as the 'problem' within political discourse and the 'problem' as identified in research.

'Most of the academic books and campaigning and semi-official reports of the last decades of the twentieth century implicitly challenged the legitimacy of continuing to imprison so many women



with such appalling histories of poverty and abuse... The solution of the New Official Criminology for Women in Prison was simple. Change women prisoners' beliefs about the world, the problem is in their heads, not their social circumstances' (Carlen & Worrall, 2004: 23).

It was at this time, during the early 2000s, that Labour's ethos of the responsibilisation of offenders manifested in cognitive-behavioural accredited programs that firmly fit within the 'what works' agenda (Annison & Brayford, 2015). It is unsurprising then, that this became a period of time in which criminologists began to focus more closely on the processes that lead to the cessation of offending rather than the structural causes of offending behaviour. Particularly as the processes of 'change' considered to constitute desistance from crime focus mainly on factors that produce internal change rather than challenge issues of social inequality (Maruna, 2001). With such emphasis on personal responsibility in political criminal justice discourse, situated within a climate of punitiveness, the number of women subject to criminal justice sanctions in the community began to rise, whilst the number of women in prison remained consistent. Meaning that community punishments were not being used as an alternative to prison, but rather more women have become criminalised via community sanctions.

The focus on the individual has pushed the importance of desistance theories within criminological enquiry. Theories of desistance focus on the importance of interpersonal relationships (Laub and Sampson, 2001), maturation (Gottfredson and Hirschi, 1990), identity change (Maruna, 2001), with probation focused scholars translating such theories into desistance based criminal justice practice (Farrell, 2004; McNeill, 2015; Weaver and McNeill, 2015). However, desistance theories have been based, bar a few exclusions, on the male experience. Whilst there has been feminist engagement with desistance literature (Leverentz, 2006; Hart, 2017; Barr, 2019; Fitzgibbon and Healy, 2019), there has yet to be theorisation of desistance from a female standpoint that has influenced criminal justice

practice in the way in which more traditional androcentric theories of desistance have.

Punishment has long been justified in terms of deterring others, retribution for the criminal act, rehabilitation of the 'offender' and incapacitation in order that the 'offender' does not have an opportunity to reoffend (Clarke, 1982). However, beyond this, and specifically for women, punishment has been viewed as welfare itself, with prison viewed as 'a mother who provides and protects' (Duncan, 1996). Yet it is in women's prisons that hard and soft measures intended to reform women have appealed to sentencers as they sentence women to punishment under the guise of 'help'. This has found punishment combined with 'welfare' through re-education programmes or moral tutelage. Women's prisons [and wider CJS interventions such as women's centres] discipline, infantilise, feminise, medicalise and domesticise (Carlen, 1985), to reflect and reproduce dominant ideologies, such as women's role in the family, placing a gendered justification of punishment that responds to the characterization of criminalised women as mad, bad, sad, or neglectful mothers (Gelsthorpe, 2004).

Then language of reform and empowerment that has been promoted by liberal penal reformers, feminist reformers, and criminal justice practitioners has been hijacked by the state as they promote the discourse of punishment in what Carlen (2002) calls the 'carceral clawback'. This highlights how gendered justifications for punishment, such as the need to 'empower' criminalised women to make better choices have permeated a system that now takes for granted the role of punishment in reaffirming class and gender-based oppressions. Whilst much of the literature focused on women's punishment looks at the incarceration of women, what happens to women beyond the prison gates reflects many of the same issues for punishment.

### *Community punishment*

When an individual is subject to intervention or punishment that occurs beyond the prison gates, i.e. in 'the community', the individual is monitored (and sanctioned) by an arm of the CJS within England and Wales called Her Majesty's Prisons and Probation Service (HMPPS). This penal sub-field can be found across multiple jurisdictions globally and is often defined by terms such as 'probation', 'offender management', 'offender supervision', 'supervisory sanctions', and 'community sanctions', to name a few (Mawby and Worrall, 2013; McNeill and Beyens, 2013). The fluctuating terminology used to discuss offender supervision often is a consequence of shifts in political emphasis (Raynor, 2007; McNeill and Beyens, 2013). McNeill and Beyens (2013) consider the distinct differences within European jurisdictions and contexts, settling on the seemingly neutral terminology 'offender supervision' to describe the process of enacting 'community sanctions and measures' on the law-breaking (or potentially law-breaking) individual. The Council of Europe (1992) define community sanctions and measures (CSM) as:

'[Those sanctions and measures] which maintain the offender in the community and involve some restriction of his liberty through the imposition of conditions and/or obligations, and which are implemented by bodies designated in law for that purpose. The term designates any sanction imposed by a court or a judge, and any measure taken before or instead of a decision on a sanction as well as ways of enforcing a sentence of imprisonment outside a prison establishment' (Council of Europe, 1992; Cited in McNeill & Beyens, 2013, pp. 4–5).

Whilst the breadth of this definition is great, McNeill and Beyens, (2013) critique its depth, as the Council of Europe definition of community sanctions and measures is simply the oversight or supervision of individuals within a community, rather than custodial, setting. This description of community sanctions and measures is lacking any sort of guidance or description of how these activities manifest in differing jurisdictional locations and historical contexts (McNeill and Beyens, 2013). By lacking this attention to describing supervision in practice, the term community

sanctions and measures become less of a descriptor of penal activity within the context of 'community', and more of a legal framework. Therefore, with the Council of Europe's description of community sanctions and measures as the framework, the term 'offender supervision' represents the 'institutions, cultures and practises of supervision that is directed at and to people precisely because they are labelled as offenders' (McNeill and Beyens, 2013, p. 5). In this way, community sanctions and measures can be viewed as an important response to crime and deviance and a significant aspect of how criminalisation is experienced.

In England and Wales, Gov.uk (2014) offers an official guide explaining what to expect from probation. The term 'probation' is used to describe the sanction, and the term 'offender managers' to describe those that facilitate the sanctions. As Worrall and Mawby (2013) note, the two terms are significant in their continued usage, with the concept of probation remaining resilient, signifying 'the resistance to and subversion of the dominant penal discourse of "offender management"' (Mawby & Worrall, 2013: p1). Those who facilitate offender supervision are required to 'act as if they believe in the rules about the effectiveness of "risk-crazed governance" while knowingly using those rules in ways that will also achieve meaning' (Mawby & Worrall, 2013: p1), shaping probation as a type of imaginary penalty (Carlen, 2008).

The Government's efforts to eradicate 'probation' from criminal justice vocabulary within England and Wales (Worrall, 2008) are symbolic of the systematic dismantling of the national probation service prompted by the publication of the TR strategy. Just as the term probation is still used, interchangeably with other titles, the sanction of probation remains; however, within new and developing forms. Probation has remained the term most frequently used and recognised by service users and practitioners within everyday criminal justice contexts and discourses. This has once more become formalised in the structure of the CJS as in 2017, the then-Secretary of State Liz Truss, announced the closure of the National Offender

Management Service (NOMS) and the implementation of Her Majesty's Prison and Probation Service (HMPPS) as its replacement. Despite the seeming move back to probation practice and away from 'offender management', the change in name has done little to alter the new structure of probation practice in England and Wales implemented after TR. High-risk individuals are monitored by HMPPS, and low to medium risk individuals are dealt with through privately-run Community Rehabilitation Companies (CRCs). Therefore, whilst this research recognises the more jurisdictional neutral term of 'offender supervision' as suggested by McNeill and Beyens (2013), the term 'subject to probation supervision' or 'on probation' will be used where it becomes necessary to reflect the opinions and experiences of those who are subjected to sanctions and measures of this kind.

Additionally, it is important that when examining the experiences of people subject to punishment, we recognise the language that is used around them and for them, and how this is not necessarily in line with academic terminology. Whilst 'offender supervision' may offer a more jurisdictional neutral term, the continued use of the term 'offender' means that the phrase still holds meaning that extends beyond the mere description of individual circumstances. That is because the term 'offender' is a label that holds a particular type of power over the holder. Labelling theory states that offenders internalise the negative reactions applied to them due to their criminal activities, prompting them to accept the 'criminal' label, pushing them further into criminal careers (Lemert, 1972). The label 'offender' has such stigma attached to it that it can change an individual's self-concept and social identity, all of which is reinforced through negative interactions with state institutions.

A study of the Scottish youth justice system by McAra and McVie (2007) found that the strongest predictor of offending behaviour was past contact with the CJS; with those most immersed in the system the least likely to desist from crime. Parts of the CJS, such as the probation service, exist to assist in rehabilitation and reintegration. Therefore, the CJS purposefully

attempts to affect the criminal pathways of individuals subject to probation supervision in the community. However, as McAra and McVie (2007) show, the intervention of punishment may not always have a positive impact on the ability of offenders to desist from crime due to how they are labelled through criminal justice involvement in their lives.

The Scottish government has taken such evidence seriously and in late 2016, the new National Strategy for Criminal Justice (2016) ordered that people released from prison, or those completing community sanctions, should no longer be called ex-offenders and should instead be called 'people with convictions'. The change underlines the belief that the power language holds can alter behaviours. This is a formal acknowledgement that the term 'offender' can be demeaning and stigmatising for those labelled with it, and by using the term 'offender supervision' there is a risk of colluding with those that use the term to label and 'other' the individuals it can be applied to.

Where the literature focuses on women who are punished within the CJS there are additional gendered debates around definition and terminology. The most significant being the debate about exactly how to refer to women who have come into contact with the CJS and received punishment. The term 'female offender' is used widely in policy discourse and informs the name of the 'Female Offender Strategy' (2018). However, many feminist researchers and some criminal justice organisations, such as Women in Prison (WIP), recognise 'female offender' as a stigmatising term that ignores the structural factors that lead some women to become labelled as an 'offender'<sup>1</sup>.

In the early 1980s, Chadwick and Little (1987) led the call for less stigmatising terms to be used when referring to women with convictions. They made the case for referring to women who come into contact with the CJS as

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<sup>1</sup> The Twitter account that represents Women in Prison tweeted in support of no longer using the term 'female offender' due to the stigmatising nature of the term, after the publication of the Female Offender Strategy (2018). They refer to this as the Female Justice Strategy in all following tweets that discuss the strategy.

‘criminalised women’. Whilst some academics prefer the term ‘women in conflict with the law’ (Moor, 2018), Chadwick and Clarke (2018) call for us to still consider women who come into the CJS as criminalised women, particularly when considering the disproportionate criminalisation of Black women who become disproportionately criminalised.

The terminology that is used is an indication of the epistemological and philosophical underpinning of the research and the perspective of the researcher. The use of criminalised rather than ‘offender’ here is a formal attempt to redress the imbalance of power that research exerts when it replicates stigmatising terms. This research recognises that ‘social groups create deviance by making the rules whose infraction constitutes deviance, and by applying those rules to particular people and labelling them as outsiders’ (Becker 1963: 9). Scraton (2007) discusses how it is not the quality of the act committed, but the consequences of how that act is responded to by others. In this research, I reject the use of the term ‘female offender’ as a negative label that holds meanings and values that are now widely considered to be dehumanising and stigmatising.

The use of ‘female offender’ attaches meaning to the individual’s character whilst erasing the processes that are enacted on women in order for them to be labelled in such a way. The term ‘woman in conflict with the law’ attempts to offer a description that does not apply the same label yet remains a description with wide enough scope to be useful. However, both ‘female offender’ and ‘women in conflict with the law’ both speak to the actions of the individual rather than of power and institutions. Whilst women may come into conflict with the law, for many women and Black women, in particular, the law comes into conflict with the lived reality of their lives. In contrast, the term criminalisation offers an understanding of processes that are enacted on a woman when she comes into contact with the CJS. This begins with the application of a ‘deviant’ label on an accusation of law-breaking, the processes of law, criminal justice and punishment enacted on her as official processes are completed, right up until the end of

the sentence of punishment where she is now labelled an 'ex-offender'. As such, the terms 'criminalised women' and 'subject to community punishment and/or probation supervision' will be used within this research to describe the women who agreed to take part.

### *Intersections of gender, criminalisation, and social control*

With more women than ever becoming subject to punishment, there are clear links between the intersectional position of criminalised women in society and their offending behaviour. This is recognised in research through the identification of 'pathways out of crime' as an approach to understanding what leads a woman to offend (Gelsthorpe & Wright, 2015). Issues such as links between women's abuse and mental health, labour market participation, and the misuse of substances, are identified as pathways into criminal behaviour that speaks to intersections of oppression and victimisation (Gelsthorpe & Wright, 2015). Criminalisation often occurs where women lack the capital to protect themselves from becoming a target. It is through the criminalisation of some of the most marginal in society that we can understand how moralistic notions of idealised femininity, motherhood, and citizenship combine to become tangible modes of discipline.

Clarke and Chadwick (2017) demonstrate this as they summarise what is known about women who become incarcerated; they are often women who have experienced violence or abuse (Sheehan, McIvor and Trotter, 2007), are often the primary carers of children (Baldwin and Epstein, 2017), and that sixty per cent of women who go to prison will leave homeless (Clarke & Chadwick, 2017). This is often for short sentences, for non-violent crimes such as theft, fraud, or handling (Gelsthorpe & Wright, 2015), and 'many will be back in prison within a year' (Clarke & Chadwick, 2017).

This 'offending profile' is a key way of understanding that, whilst women are present in all categories of offending (from the most to the less serious), the



types of crimes predominantly committed by women are property crimes, whereas men are the main perpetrator in violent or more serious crimes (Gelsthorpe & Wright, 2015). Gelsthorpe and Wright (2015) explain that it is through such observations that 'what we know about the characteristics of all known offending is structured by gender' (p.41).

Before punishment can begin various social interactions occur between the individual woman, society and the state, which can be broadly understood as the process of criminalisation. To fully understand the criminalisation of women, these interactions must be considered within the context of women's wider social experiences. As examined above, women's worlds are constructed through 'patriarchal ideologies' that law-breaking and criminalised women disrupt and contradict. Criminalisation is a way of formally identifying, labelling, punishing and 'reforming' such women so that they conform to the dominant patriarchal ideology (Chadwick & Little, 1987). Women who break gender norms are found to be 'offensive to the dominant discourses which define, classify, regulate and set penalties for deviance' (Faith, 1993, p. 1). As such, women do not need to break the law or be subject to official sanctions and punishments by the CJS to be criminalised. However, all women subject to probation supervision and/or community punishment have experienced criminalisation.

Pat Carlen (1983) was one of the first criminologists to call out the failings of criminologists, including some feminist criminologists, to distinguish between criminalisation and law-breaking. Law-breaking is a violation of established legislation, whereas criminalisation is the institutional response to activities or behaviours which have been labelled 'deviant' and may or may not violate existing legislation (Chadwick & Little, 1987).

Criminalisation occurs in two stages. Firstly, an individual must be identified as 'deviant' (Tannenbaum, 1983). This 'deviant' label is not applied due to the direct actions of the individual, rather the label is a consequence of 'the application, by others, of rules and sanctions to an 'offender' (Becker, 1963).

This individual is then targeted, identified, defined, and treated as deviant, regardless if others are displaying the same behaviours who are not labelled as such. This results in an individual becoming 'deviant' due to the moral and social judgements overlaid on them and their behaviour (Tannenbaum, 1938; Chadwick and Little, 1987; Muncie, 2008). With the application of a deviant label, criminalisation then occurs through an institutional or formal response to this label, such as an individual's arrest or a 'crackdown' on the activities of a perceived 'deviant' group (e.g. sex practitioners during police raids on Soho). As such, criminalisation should be understood as a set of formal and informal social processes that work to label a woman as 'deviant' or an 'offender'. The women in this study were being punished due to law-breaking. However, they are criminalised due to how the law-breaking behaviour is considered to morally and socially to deviate from the societal norms set for women.

Criminalisation is a by-product of crime, and a socially constructed means of 'social control' (Chadwick and Little, 1987). However, critical criminologists go further to suggest that criminalisation is when labels are applied to groups that are viewed as deviant by the majority, whilst also conducting activities that are perceived as a threat to 'the established order of the state' (Chadwick and Little, 1987, p. 256). By criminalising these acts, the state legitimises the control of these 'deviant' activities whilst gaining the consent of those who will support state action against criminal groups or the majority. This is 'state control' (Becker, 1967; Chadwick & Little, 1987). Behaviours and groups are targeted for criminalisation in relation to political, economic, and patriarchal power relations. Therefore, criminalisation can be viewed as a structural and political process (Chadwick & Little, 1987).

In the case of criminalised women, criminalisation occurs where each of these forms of power meet. This can be sharply demonstrated within the criminalisation of welfare claimants. Wacquant (2009: 43) links the criminalisation of welfare claimants to a new form of neoliberal political

regime, the 'centaur state', which is 'guided by a liberal head mounted on an authoritarian body'. This centaur state seeks consent and complicity from the upper classes and economically affluent whilst performing a 'double regulation of the poor' (Wright, 2017). However, as Wright (2017) highlights, sanctions for the unemployed have been used as a strategy from 1911. The ramping up of these sanctions within the neoliberal framework has been who the sanctions target. Job seekers were generally able-bodied working-class men in between employment. Whereas changes made from 2002 meant that single parents whose child reached school age, and those who were unable to work through ill-health, became job seekers, and sanctionable (Wright, 2017).

The criminalisation of welfare claimants is another area of criminalisation that is assumed to be a 'new' feature of the failed neoliberal project. Whilst the amount and severity of sanctions has increased, it is the type of people who are now the 'job seekers' facing criminalisation - the sick and single parents that have been the biggest change. However, in contrast to the economic priorities of neoliberalism, this change has been proven to be as a result of ideology, with proposals in 2012 becoming the harshest welfare sanctions yet (Alder, 2014; Webster, 2014; Wright, 2017).

Women are not only disproportionately focused on for domestic financial crime, but different aspects of mothering are also becoming criminalised. In the Education Act<sup>2</sup> (1996) provision was made for the criminalisation of parents in the event of children failing to attend school regularly. In 2015 this resulted in 11,382 women and 4,989 men being prosecuted; receiving predominantly, although not exclusively, non-custodial sentences and fines. This form of criminalisation has seen mothers punished disproportionately,

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<sup>2</sup> Education Act (1996) S444 Offence: failure to secure regular attendance at school of registered pupil.

(1) If a child of compulsory school age who is a registered pupil at a school fails to attend regularly at the school, his parent is guilty of an offence.

(1A) If in the circumstances mentioned in subsection (1) the parent knows that his child is failing to attend regularly at the school and fails without reasonable justification to cause him to do so, he is guilty of an offence.

with over two-thirds of all prosecutions for this crime. Therefore, it is a form of criminalisation that identifies 'bad' mothers as those who have failed at, or rejected, approved forms of femininity that promote the 'natural' roles of women, such as motherhood (Carlen, 1983b; Heidensohn, 1985; Chadwick and Little, 1987). There have been some high-profile reporting of those with the social and economic means to challenging the penalty for non-attendance during term time. Whilst the Supreme Court has taken a hard-line approach towards unauthorised absences, the reporting of such cases reinforces the dual narrative of, on one hand, mothers who cannot be bothered to send their children to school and, on the other hand, fathers who have faced injustice at the hands of a 'nanny state' (Keeling, 2015; Yorke, 2017).

Both the criminalisation of welfare claimants and 'inadequate' mothers sharply demonstrate how criminalisation is an administrative and symbolic labelling process, during which women become known by this label. Moralistic discourse surrounds any dialogue about criminalised women. Criminalisation is a process that applies a criminal label to a particular social category (Hall and Scraton, 1981; Chadwick and Little, 1987). Therefore, being a woman is not enough to justify criminalisation. Instead, criminalisation occurs at intersections of class, race, ethnicity, sexuality, and gender. Criminalisation is not simply the process of entering and being processed through the CJS, but a practice that perpetuates myths and stereotypes to control the criminalised group through both criminal justice punishment and wider formal and informal social controls that are determined by social attitudes (Chadwick and Little, 1987; Faith, 1993). So far in this chapter understandings of criminalised women have transcended the boundaries of any one penal space. However, the major distinction between women's experiences of imprisonment and community punishment is the separation that occurs between women and society when they are imprisoned. Yet the lack of a prison environment does not mean that criminalised women punished in the community do not experience

punishment more overtly in specific penal contexts. The next section will bring together the daily experiences of criminalised women and the spaces within the community within which these occur.

### *Spaces of community punishment: 'Community' and criminal justice*

Women's everyday lives should be considered as playing out within spaces of social control. Living within a patriarchal society, women's lives are ruled, not only by the laws that govern us all but by gendered responsibilities and expectations. Davies (2003) asserts that women's lives are constrained both spatially and temporally in gendered ways. This is demonstrated through the caring roles that women are expected to fulfil, describing how such roles make up the 'concrete reality of women's daily lives' (p.133).

The additional responsibilities placed on women through caring leave little or no time for pause or self-reflection (Davies, 2003). It is assumed that time and space are resources that are free for all; that we can choose where we go, and how we fill our time. However, when the use of women's time is examined, we can see that much of women's 'individual time' is lost in favour of 'collective time' that responsibilities such as family lay claim to, which often limit women to the domestic sphere. In contrast, men can exchange their 'downtime' into opportunities for social advancements, such as networking in social situations within the night-time economy (Davies, 2003).

Understanding how women's access to space and the constraints placed on women's time differs from that of men's is crucial in understanding the fundamental differences between how punishment is experienced by either gender. Within women's centres, women's time becomes further constrained by regular appointments and prescribed activities. However, the use of gendered space as a space of punishment that places spatial and temporal constraints on women's lives has been largely neglected by criminologists and social historians as accounts of early probation diminish

the differences between disposals for men and women (Young, 1976; Barton, 2000).

Both the Corston report (2007) and TR explicitly site punishment as occurring in either prison or the 'community', with community viewed as the space outside the prison gates. Despite the repetitive use of 'community', the report does very little to define what it means by using the term. This is a common issue with criminal justice discourse within England and Wales.

'Community has furnished a discursive framework within which social policies have been conceived, designed, implemented and legitimated' (Lacey and Zedner, 1995, p. 302).

Community does not simply describe the area outside the prison gates, it ignites emotional responses of nostalgia and belonging; forged in part through participation, and influenced by intersections of gender, race, immigration status, and economic status (to name only a few of the many facets of influence). Mostly, communities are imagined (Lacey and Zedner, 1995). Unless community is being used as shorthand to describe a neighbourhood (another inaccurate use), lines cannot be drawn around it, it is hard to define and impossible to grasp (Zedner and Lacey, 1995). In the case of TR, the community is everything that prison is not. One side of the locked door lies the offender; the other side lies the community.

However, there is more purpose to the use of the word community within policy documents such as TR. Within criminal justice, community is used repeatedly and uncritically to add legitimacy to criminal justice initiatives (Lacey and Zedner, 1995). To question the effectiveness of an intervention when it is tied to the notions of nostalgia, safety, and belonging would also question the very notion of 'community'. Communities are desired spaces of perceived social cohesion and shared values; they are safe, friendly, and 'good'. As Bell and Newby (1971) assert, everybody wants to belong to a community.

'the subjective feelings that the term community conjures up thus frequently lead to a confusion between what it is (empirical

description) and what the sociologist feels it should be (normative prescription)' (Bell and Newby, 1971, p. 21).

Community is a notion that is used and then reused within criminal justice discourse in both 'diagnostic' and 'therapeutic' ways (Lacey and Zedner, 1995). Community is therapeutic in the ways that the people within any geographical area can come together to tackle certain forms of crime, through initiatives that require positive cooperation with the police such as Neighbourhood Watch or the parental control of delinquent young people (Lacey and Zedner, 1995). The quality of social cohesion within a community can diagnose social problems that lead to crime and deviance.

When 'community' is mobilised in TR and the Corston report (2007), it is regarded as a therapeutic space within which criminalised individuals will be held responsible for their actions by the 'community', often constructed as 'paying back' to this imagined community to become reformed. However, in practice, both reports understand community interventions as occurring in specific spaces outside of the prison estate.

To form a more accurate understanding of such spaces, there needs to be a shift away from imagining the spaces within which offender supervision occurs as specific sites (such as probation offices), towards an alternative map of how institutions of social control intersect with the spaces in which those subject to offender supervision live their lives. Only when it is recognised that offender supervision is not limited to such institutional spaces, can we place the criminalised individual as the key actor in their own future; shifting the focus from the experiences, expertise, and understandings of the probation officer (a frequent lead actor in probation research), to the criminalised individual themselves.

Cohen (1985) critiqued the ever-increasing use of non-custodial sentences, such as probation and community service, asserting that it represents a 'magnification and expansion of existing mechanisms of social control' (Barton, 2000). He believed that community punishments would act as a

'net-widener', targeting people who have not been the subject of such control previously, thereby increasing the numbers of those subject to criminal justice control (Cohen, 1985). The introduction of more intensive supervision within the community would 'thin the mesh', with non-custodial sanctions blurring the boundaries between 'custody' and 'community'.

As such, the use of methods of social control such as surveillance or discipline, which are usually associated with custody, would not produce the hoped-for alternative to the penal system, but instead, amplify the penal system's powers of social control; in what Cohen (1985) calls 'penetration'. Cohen's (1985) predictions are correct; the number of people subject to probation supervision is rising at an unprecedented rate, demonstrating an increasing 'net widening'. Within England and Wales, there was a total of 83,769 people held in the prison estate (figures for March 2013), compared to 224,823 individuals subject to statutory supervision in the community at the end of 2012 (McNeill and Beyens, 2013). This trend is mirrored elsewhere in Europe, with Germany's decreasing prison population standing at 55,000 in 2011, but roughly 190,000 subject to community sanctions and measures in the same year (McNeill and Beyens, 2013). For women, this supervision usually occurs in a gender-specific programme of intervention such as a women's centre.

Whilst Cohens (1985) vision of social control is a useful concept for organising some of the recent changes to the organisation of probation practice, Barton (2000) argues that it fails to acknowledge the tensions between this idea and a gendered account of community punishment. Cohen's (1985) 'disciplinary project' of net widening, thinning the mesh, the blurring of boundaries between custody and community, and social control penetrating communities, is not a phenomenon that only occurs from the 1970s onwards but is how women have experienced punishment for over 200 years (Barton, 2000). It is by (re)examining community sanctions during the birth and development of probation in a way that seeks to reverse the erasure of gender differences that a more accurate picture of how women's



lives have been and are currently affected by community punishment and supervision can occur.

Barton's (2000) examination of semi-penal institutions identified how criminalised women in the late 19<sup>th</sup> and early 20<sup>th</sup> century, social control was exerted in both penal and domestic spheres. However, it is the use of semi-penal institutions that is most clearly linked to the gendered spaces of punishment within early probation contexts. Weiner (1990) defined 'semi-penal' as non-custodial institutions existing 'for the purpose of containing and reforming deviant individuals, in particular women and juveniles, who had, for various reasons, transgressed either legal or (in the case of women) gender boundaries' (Barton, 2000, p. 158). During this period, such women were viewed as dangerous, but equally vulnerable and in need of saving (Hutter and Williams, 1981; Smart, 1992; Faith, 1993; Carlen, 1998). Women were not only disciplined through codes of morality as experienced by men subject to probation during this period, but also through conceptions of femininity.

Femininity was constructed through a women's position with the family, as a carer and nurturer, with appropriate behaviour modelled on 'a middle-class construction of virtue that set the standard of behaviour for all women' (Zedner, 1991; Barton, 2000, p. 159). Middle-class notions of femininity were filtered downwards to the working and lower classes through institutional involvement in places such as schools and churches (Barton, 2000). Such policing of femininity was not only perpetrated by men, as husbands and fathers or community leaders and decision-makers but also by middle-class women who formed a 'hierarchical female network' (Walkowitz, 1982: 86). This is where older generations of women socialise the next generation to conform to indoctrinated rules about femininity; including domesticity and sexual 'norms' (Walkowitz, 1982; Barton, 2000).

Women who transgressed the approved forms of femininity, whether criminal or not, were placed within a programme of reformation and

‘normalisation’, which would return the fallen woman to that of a ‘proper’ woman who can adequately attend to her domestic and feminine duties (Barton, 2000). Social control was asserted over these women through morality and domesticity, promoting behaviours that were seen suitable for future wives, mothers or domestic servants. Providing the dual benefit of conformity to middle-class notions of chastity, respectability, and femininity; rendering the women productive, useful and above all, docile (Barton, 2000). Once reformed, it was assumed that with morality and femininity restored, these women would self-regulate to gain the rewards and status of ‘respectability’; just as all other women of the time did. The rewards associated with respectability were reinforced by the risk of social ostracism and ‘informal but severe sanctions’ encouraged women ‘to ‘police’ themselves as well as each other’ (Zedner, 1991; Barton, 2000, p. 160).

As political influences developed the organisational nature of probation work, semi-penal institutions evolved also, with the female penitentiary examined by Barton (2000) becoming a bail hostel and then approved premises for women to inhabit post-release from prison. This was a natural step in the development of the female penitentiary as, unlike men who were often released from prison on licence or without any further criminal justice intervention, women were subject to a period of confinement in a semi-penal institution where they would only be released when there were judged to be reformed (Barton, 2000). With the abolition of semi-penal institutions only occurring in the 1960s, it is only then that women subject to community sanctions begin to experience such punishment in the same spaces as criminalised men. However, Greenwood (2019) charts the rise in popularity of women’s centres prior to the closure of the last semi-penal institutions in the 1960s, situated then as an alternative to housing criminalised women, and considers their importance for the social control of women and, post-TR, their increasing role in community punishment.

### *Women’s centres*

How women are punished within the community over the last ten years has been predominantly shaped by The Corston report (2007) and the TR strategy. Both have informed changes to policy, and how women are dealt with within the CJS. Whilst they have determined how women experience punishment, they cannot be understood in a vacuum, women's experience cannot be removed from the structural oppressions that manifest within the institutions and spaces within which women's lives are lived. Therefore, the intentions of the Corston report (2007), and the lived realities of the report's intentions cannot be considered the same. However, by examining the implementation of these reports, and how they work with and/or against each other, we can begin to understand the role that policy plays in shaping women's lives during punishment in the community.

Women's centres are now spaces of social control, within which probation supervision occurs and desistance is promoted. Greenwood's (2019) research identifies and outlines how the women's centre is:

'at once a space of punishment, surveillance, coercion and shame for statutory service users and a space of social inclusion and coercion for non-statutory service-users' (p1).

Greenwood (2019) points to the role of neoliberal politics and policies such as TR as shaping the women's centre into the spaces that women experience today; spaces that 'promote the visible punishment of statutory service-users undertaking punishment within the woman-only space of the women's centre'(p1). To understand how criminal justice interventions can evoke crime-free futures for criminalised women, an examination of women's centres as a transformative space is essential.

Whilst many were already in existence, women's centres became more centrally aligned with the aims of the CJS after the publication of the Corston Report (2007). As a gender-specific intervention, women's centres should be holistic 'one-stop shops' for women who 'offend' or are 'at risk of offending' (Plechowicz, 2015). Women's centres should be a form of diversion from police stations, court, and crucially custody, for criminalised women,

providing a 'real alternative to prison' (Corston, 2007, p. 10). Whilst there is a consensus surrounding these aims, what should occur within women's centres to achieve this goal becomes open to interpretation and difficult to imagine (Greenwood, 2019).

The Fawcett Society outlines nine points of good practice for women's centres in the community (Gelsthorpe, Sharpe, & Roberts, 2007). They should be: a women's only and safe space; integrate offenders and non-offenders; foster empowerment; consider different learning styles; offer holistic practical support; link with mainstream agencies; offer space for women to return; provide mentors or caseworkers; and offer practical assistance, such as childcare and travel funding (Gelsthorpe et al., 2007). Many, but not all, women's centres have developed using these principles, usually following the nine pathways to offending identified by Baroness Corston (2007).

Ultimately, and perhaps unsurprisingly, the 'success' of a women's centre as an 'alternative to custody' hangs on the relationship between the women's centre and criminal justice staff. The more closely aligned the centre is to the aims of the CJS, and the more imbedded probation and unpaid work staff are within a centre, the more successful a centre is deemed within criminal justice-led evaluations (Hedderman and Gunby, 2013; Plechowicz, 2015). Before the Corston report (2007) and the increasing need for women's centre to align with the CJS, women's centres were spaces for women to develop, be empowered, and grow. However, with the introduction of criminal justice practitioners into the women's centre, and the increasing closeness of this relationship post-TR, women's centres are now spaces of individual transformation. Therefore, women's centres should be considered a gendered form of liminal space, and 'in-betweenness' (Shields, 1991) where women can transition from deviance to respectability, 'offender' to 'reformed' (Greenwood, 2019).

When we consider the spaces within which women are supervised within the 'community', Shields' (1991) description of Victorian bathers taking 'dippings' at an English seaside in search of a 'cure' provides a conception of liminal space as a perceived place of transformation. This is a useful way of understanding the transformative expectations also placed on the women's centre. Here we can replace the 'ill-defined margin of land and sea' described by Shields (1991) with the collection of ill-defined spaces of punishment that the female offender must-attend for her community sentence to be implemented, such as probation offices, alongside spaces of 'rehabilitative and therapeutic intervention', which range from churches and women's centres to NHS buildings. Just as the 'dippings' had been prescribed as a cure, women subject to community punishment are sentenced to prescribed activities in the name of transformation.

Those in charge of bathing machines and in assisting bathers became regarded with importance as 'mediaries between two worlds', the 'civilised lands and the undisciplined waves' (Shields, 1991). They were the knowledgeable actors within this interaction, within this liminal space; to the dippers, they 'were essential figures of dependable strength and assurance' (Shields, 1991: 85). The knowledgeable actors within women's centres are the probation officers and other criminal justice practitioners employed to run courses and supervise work. These are the mediaries between the criminal world, and the civilised 'law-abiding' lands, and are viewed by themselves and others as holding the key to the rehabilitation and promotion of desistance through their knowledge and expertise (Anderson, 2016). This positions the criminalised woman as mouldable, her will can be broken down and re-shaped into the form of 'respectable women', much in similar ways to semi-penal institutions of the past (Barton, 2000).

Baldry (2010) operationalises the concept of liminal space more broadly to understand the everyday lives of the Indigenous Australian women who have been criminalised. Extending the notion that designated spaces of rehabilitation are liminal in nature, Baldry (2010) identifies that the women

in her study live their lives in a liminal, marginal space. This space extends far beyond initial punishment. Beginning in the women's youth, the space is not temporary, but lasting:

'the space is liminal in that it is neither in the broader community nor fully in the CJS.. ..It is marginal in that it is right on the edge of mainstream community and society's consciousness and barely worthy of attention, with the exception of forays to deal with delinquency and offending' (p261).

This space is defined by multiple institutional interventions, such as social service, criminal justice, and social welfare involvement; and layers of social injustice, such as poverty, insecure housing, poor educational opportunities, abuse, all from an early age. Baldry (2010) connects these early experiences of social injustice and institutional intervention with later experiences of deprivation, victimisation and oppression, and ultimately criminalisation.

The liminality that is afforded to the space of the women's centre can obscure the transition of women's centres from holistic, empowering, participatory spaces to sites of control and punishment that has emerged due to the expansion of the carceral net in to the penal voluntary sector (Corcoran, 2012). It is by embedding agents of social control, such as probation officers and criminal justice agents facilitating community punishments, within women's centres, a practise that has increased post-TR (Corcoran, 2017), and by focusing women's centre activities upon practises that discipline, infantilise, feminise, medicalise and domesticise (Carlen, 1985) such as offering flower arranging, cooking classes, beauty sessions, and other gender re-affirming activities (Greenwood, 2019) that this transition has occurred. Mirroring the practises of the female penitentiary in priming women for marriage or service (Barton, 2000), but using the modern language of empowerment identified as 'carceral clawback' by Carlen (2002), the transition of the women's centre from holistic and empowering to disciplining and reforming offers a modern reinvigoration of a long-established mechanism of gendered oppression and social control, aimed at the most vulnerable and powerless women in society.

In connecting these two separate but entwined understandings of the liminal spaces of punishment, and how these become the spaces within which criminalised women live their lives, we can see that community punishment is not confined to any one space. Instead, community punishment permeates throughout the lives of criminalised women, with women's centres directly at the heart. As the women's centre has become more closely related to the CJS, so have the daily reality of criminalised women's lives. No longer simply places of empowerment, where support and help for a wide variety of social issues could be obtained, women's centre's relationship with the CJS means that now support is conditional on compliance with the power of the CJS.

### *Conclusion*

The purpose of this research is to understand women's experiences of community punishment and how this intersects with women's everyday lives. To do this, drawing on feminist literature that seeks to understand how women at different intersections of class, race, and gender experience womanhood is an essential starting point. This chapter has firstly reviewed the work of key feminist scholars Simone De Beauvoir (1949/2011), Judith Butler (1990), Beverly Skeggs (1997) and Kimberle Crenshaw (1990) to understand how women experience the world before any interaction with the CJS. This provides an insight into how women experience everyday life as a woman, particularly at the intersections of class, race, and gender. This feminist literature also offers insight into how feminists have interacted with the theoretical toolkit offered by Bourdieu (1986a), offering a framework on which to understand the experiences of the women in this study.

After considering women's experiences in general, it was essential to examine criminology's contribution to women's experiences; focusing more specifically on what is already known about how women experience punishment. This highlighted the androcentric nature of criminological research and the pre-occupation with prison experiences that remain

dislocated from the lives of women subject to community punishment. It is through this existing research that we begin to understand that there is a distinct intersection between gender and formal social controls of punishment; that women experience the CJS and punishment differently to men. In part, this is because the CJS is a system built by and for men, so little consideration has ever been given to the needs of women who find themselves within the CJS. But also, it is because women's everyday lives are different from men's. It is impossible to ignore the patriarchal nature and power of formal institutions of social control. This shapes women's everyday experiences, with criminalised women feeling the power of these institutions most overtly. Women experience punishment in different spaces, particularly within community punishments where men may stay within the probation office, women are referred to one-stop-shop women's centres. Therefore, this chapter looked at the importance of place for punishment, identifying the role of women's centres as a liminal space of reform and rehabilitation as they enter the penal field due to changes made post-TR. We cannot understand the experience of punishment in the community without considering how punishment intersects with the daily reality of women's lives. This includes a distinct consideration of the spaces within which this punishment takes place and the people who deliver the punishment within these spaces.

This chapter has not only reviewed the existing literature that pertains to women subject to community punishment but by examining broader concepts in feminist scholarship it identifies the epistemological framework within which this research sits. It is clear from the arguments within this chapter, that any examination of women's experiences of community punishment must be situated within the broader contexts of criminalised women's lives; both within penal spaces, such as the probation office or the women's centre, and everyday spaces occupied by women, such as the home. The next chapter will build on this feminist body of work to consider what makes this research feminist, and how using PAR with creative



methods will explore how co-production of this research prioritised the everyday experiences of criminalised women far beyond their sentence to community punishment.

### **Chapter 3: Epistemology, methodology & feminist criminology**

‘What to believe and why something is true are not benign academic issues. Instead, these concerns tap the fundamental question of which versions of truth will prevail and shape thought and action’ (Collins, 2000, p. 203).

What can be considered ‘truth’ can be defined and understood in multiple ways. What we regard as knowledge is political; knowledge does not exist beyond the social contexts that it is constructed within (Naples and Gurr, 2014). Traditional forms of knowledge production can serve to reproduce the power imbalances present within the social contexts that research and knowledge production occurs. With the interests of the discipline of criminology so closely entwined with the CJS, it is no surprise that the key issues of crime, punishment, rehabilitation, and desistance have not been adequately examined from a gendered perspective. Criminological theory and criminal justice practice exist in a symbiotic relationship which has meant that the attention of criminologists has long focused on the priorities of the CJS. Women are a statistical minority within criminal justice, therefore, little attention has been paid by criminologists in to understanding the experiences of criminalised women (Heidenshohn, 1968).

This research contributes to a small but growing use of ‘feminist research practises’ (Kelly, 1988) that seek to unearth the subjugated knowledge held within the experiences of women subject to punishment. It adopts a critical

feminist approach that combines participatory action research (PAR), visual methods, and arts-based creative methods, within a feminist participatory framework. This chapter will consider feminist criminology, and its relationship with PAR, as a methodological framework that creates the conditions for a more diplomatic form of knowledge production. The role of visual criminology as a forerunner of creative methods within the discipline has facilitated a cautious acceptance of more creative methods of data production. The combination of PAR with creative methods, from a feminist position, provides an innovative approach to research that recognises the pitfalls of conventional criminology; providing the space and opportunity to uncover subjugated experiences of punishment whilst maintaining strong objectivity. This chapter will begin by considering the role of feminist research practises within criminology.

### *Feminist research*

Feminist research, particularly within criminology where feminism is very much still a marginal perspective, offers a distinctive approach to research that is multi-dimensional. This firstly includes the substantive concerns which decide the focus of research and the questions asked. Secondly, the approach towards what feminist research is examining, 'which is premised on certain broad epistemological and philosophical positions that set limits on the type and range of research methods and techniques it adopts' (Glucksmann, 1994, p. 149). Finally, and importantly feminist research seeks an honest political commitment that demands an active relationship between feminist research and politics. Therefore, the knowledge produced from feminist research must contribute to pushing back the intersectional relations of power, inequality, and oppression felt by those who are the focus of the research (Glucksmann, 1994).

Whilst certain disciplines have grown under these conditions, with gender studies becoming legitimate courses of study, the relationship between research and political action has been generally downplayed and

problematised. Arguments of 'empowerment', by having more women present within research contexts, have overshadowed the call for political transformation (Glucksmann, 1994). However, despite the loss of feminist research transformative power, there are contemporary academics who are active campaigners and work with feminist grassroots organisations such as Sisters Uncut on their Reclaim Holloway Campaign (SistersUncut, 2017). For example, feminist criminologists such as Smart (1979) spent years campaigning for the closure of Holloway Women's Prison. Whilst this has now happened, Sisters Uncut use a variety of feminist interventions, protests, and activism to call for the land on which the ex-prison site rests to be reclaimed by the community; for affordable housing for local women and their families, and community-enriching facilities (SistersUncut, 2017). This demonstrates how we have witnessed a resurgence in feminist politics recently within England and Wales. Unlike other popular contemporary feminist campaigns, such as the call for female representation on Bank of England banknotes (Criado-Perez, 2013), or the online #everydaysexism (Bates, 2017), the Sisters Uncut campaign directly targets the CJS (SistersUncut, 2017). The driving force of which has been to redress the balances of power disproportionately felt by women who have experienced the CJS.

The focus on power in feminist theory and methodology has resulted in three main developments, 1. A broad and deep critique of traditional approaches to objectivity; 2. Intense scrutiny of epistemological privilege in the production of knowledge; and 3. Increased attention to standpoint and positionality (Naples and Gurr, 2014). These developments work together throughout the research process to produce robust feminist research practises. Feminist research is concerned with 'providing a philosophical grounding for deciding what kinds of knowledge are possible and how we can ensure that they are both adequate and legitimate' (Maynard, 1994, p. 10). The common confusion between epistemology, methodology and

method, often grouped as 'method', impeded feminist's ability to show what is 'feminist' about their work (Maynard, 1994).

Feminist epistemology is a theory of knowledge that rejects androcentric knowledges. Feminist methodology is the theory and analysis of how research should proceed, and feminist methods are the techniques used to gather evidence (Naples and Gurr, 2014). The connections between epistemology, methodology, and methods are an important aspect of what makes research feminist (Harding, 1987). There is no one feminist approach, but rather a feminist style that is epistemologically driven. Broadly there are two strands of feminist epistemological thought: feminist empiricism and feminist standpoint theory.

### *Feminist research and empiricism*

A common misconception of feminist research is its rejection of quantitative studies; critiquing the positivist nature, claiming an inability to capture the experiences of women. This stems from the debate about what we can consider knowledge, with statistical and numerical data held with esteem within the positivist tradition and only the practises of natural sciences regarded as 'fact', 'characterised in terms of the objectivity of its method and the value-neutrality of the scientist' (Maynard, 1994, p. 12). Whilst this is still a widely held belief, feminist researchers critique this interpretation of what knowledge is and who can produce knowledge.

Empiricism is 'the doctrine that all knowledge derives from sensory experience, exists relatively uniformly outside of social contexts, and is validated as true by its replicability through objective measurements' (Naples and Gurr, 2014, p. 15). Within empirical work, knowledge is viewed as separate from the individual 'knowers', despite acknowledgement that individuals exist within social contexts. The notion of Cartesian dualism that knowledge is separate and separable from society underlines empirical objectivity; that is to say, those completing empirical research assert research as unbiased, apolitical, and value-free.

‘The researcher is a learned investigator, but not a participant in knowledge production, because truth already exists outside of social contexts. It is the job of the researcher to discover this truth without imposing her own ideas, values or social frames on it’ (Naples and Gurr, 2014, p. 15).

Feminists have and do engage in empirical work, in what Naples and Gurr (2014) describe as a pragmatic way of responding to the institutionalisation of sexist and androcentric bias in method, theory and findings. By doing this, dialogues are formed between scholars, and findings can share the same unquestioned objectivity assumed by scientists within (mostly) natural sciences. Despite this seeming expansion of what can be considered a feminist method of research, and its usefulness in challenging assumptions made about women’s biology (Lloyd, 1998), or challenging the biased notions surrounding disability within positivist sciences (Shakespeare, 2006), the majority of feminist research within the social sciences focuses on the qualitative enquiry of a feminist standpoint methodology.

### *Feminist standpoint*

‘Feminist research, Neo-Marxist critical ethnography, and Freirean ‘empowering’ research all stand in opposition to prevailing scientific norms. ...Each argues that scientific ‘neutrality’ and ‘objectivity’ serve to mystify the inherently ideological nature of research in the human sciences and to legitimate privilege based on class, race, and gender’(Lather, 2003, p. 186).

Feminist standpoint theory was conceived within debates between Marxist feminists and socialist feminism, primarily to explain how relations of domination are gendered (Naples and Gurr, 2014). Developments in standpoint feminism from the third world and postcolonial perspectives formed feminist challenges to the ‘dual systems of patriarchy and capitalism’ (Naples and Gurr, 2014, p. 25). Critiques of such a dual system approach highlighted the lack of attention to race paid by socialist feminists; this produced standpoint feminism. This offers an intersectional analysis of social life that does not prioritise gender over race, ethnicity, class or other structural features; nor does it begin with gender and add race analysis as a secondary consideration. Instead, all structural components are given equal

weight, offering equal critique to colonialism, white supremacy, and racism, as well as sexism etc. (Naples and Gurr, 2014).

Feminist standpoint methodology rejects empiricism in favour of a form of knowledge production that produces knowledge for use, whilst also revealing power relations within research and society (Harding, 1998). Harding (1995) asserts the need for the development of 'strong objectivity', neither classical objectivity nor relativity, but an acknowledgement of:

'the politics of knowledge production, and claims that greater attention to the social locations of knowledge producers and social contexts of knowledge production will contribute to a more transparent and thus potentially ethical result' (Naples and Gurr, 2014, p. 19).

Strong objectivity requires acknowledging understandings of the political, social, and historical contexts of all knowledge (Longino, 1993). Traditional approaches to criminological research contribute to weak objectivity. Contributing to this is a move towards greater generalisation. This means that credibility is given to theories that are applicable to the greater majority of people (Naples and Gurr, 2014). This privileges androcentric knowledge as the form of knowledge that is more widely applicable and, therefore, most valid (Naples and Gurr, 2014).

Within criminal justice, when examining who is punished, women remain in a minority (Heidensohn, 1968). Therefore, it is knowledge about women (known by others) and, to an even greater extent, criminalised women's experiences (known by themselves) that remain subjugated; and therefore, under-valued. Smith (1987) explains that such androcentric approaches within sociology, and therefore criminology as the sociology of deviance, prioritise white, middle-class, and heterosexual perspectives; producing alienating and colonizing results (Naples and Gurr, 2014).

Harding (1987) argues that by starting the inquiry with the lived experiences of women, and others who are traditionally marginalised by the institutions that produce and classify knowledge about everyday life, we can collect

more objective and relevant knowledge. Both Harding (1987), and Hartsock (1983) assert that:

‘knowledge produced from the point of view of subordinated groups may offer stronger objectivity due to the increased motivation for them to understand the views or perspectives of those in positions of power’ (Naples and Gurr, 2014, p. 21).

### *Epistemic authority and epistemic privilege*

Underpinning objective knowledge produced from the perspective of subordinated groups are concepts of epistemic authority and epistemic privilege. Epistemic knowledge and epistemic privilege are linked but must not be confused as the same thing. Epistemic authority is a question of ‘whose knowledge is recognised and validated and whose is silenced’ (Naples and Gurr, 2014, p. 21). Janack (1997) asserts:

‘Epistemic authority is conferred... as a result of other peoples’ judgement of our sincerity, reliability, trustworthiness, and ‘objectivity’; ... certain people are [understood to be] in a better position to ‘see’ the world than other people’ (Janack 1997: 133, in Gurr p21).

This concludes that a privileged position within social contexts adds a certain form of objectivity, and a level of authority to claims of knowledge (Naples and Gurr, 2014). Epistemic privilege refers to those that have and use (or are used by others who have) the opportunity to be referred to as authorities in a particular area of knowledge (Naples and Gurr, 2014).

‘Epistemic privilege can be provided, enforced, occluded, or restricted in a myriad of shifting social contexts, including race, class, gender, and sexuality; cognitive and physical ability; citizenship; communities of knowledge production and sharing, such as university departments and activist organisations; and so on’ (Naples and Gurr, 2014, p. 21).

Certain types of knowledge, for example, how the western world prioritises the written word, and certain types of knowledge producers, for example, European researchers, lead to a replication of colonizing ideologies (Smith, 2012; Naples and Gurr, 2014). Epistemic authority and epistemic privilege

perform in a symbiotic relationship to conceal rather than discover; 'the politics of knowledge production serve the politics of imperialism' (Naples and Gurr, 2014, p. 22).

'Individual, communal, and national memories... offer trajectories of meaning... [O]ne's location on a given trajectory of meaning determines one's structure of understanding - which ultimately shapes the contours of understandable truth' (Naples and Gurr, 2014, p. 21).

Epistemic privilege is not limited to the researchers themselves and can quite often reflect the privilege of disciplines in their entirety. The silo effect of knowledge produced within the spheres of singular disciplines can offer epistemic authority and privilege without the interaction with newer paradigms; further exacerbating the hope of challenging power relations within research (Naples and Gurr, 2014).

Positioning research as a feminist, participatory and co-creative process disrupts and destabilises 'the characterization of traditional knowledge-production and social science research as objective, apolitical, and democratic' (Brydon-Miller, Greenwood and Maguire, 2003; Houh and Kalsem, 2015, p. 263).

Including participants in the process of research, not just as passive vessels of knowledge, is political. Therefore, combining PAR with feminist research practices is certainly not value-free, but is attached to certain social values that situate the researcher as an activist/researcher. The collective, self-reflection by both researcher and participants can be utilised to forge improvement 'on the practices in which they participate and the situations in which they find themselves' (Baum et al., 2006: p854).

Whilst feminist research and PAR are two different methodologies, both can work together to form a standpoint that constructs all members of research as knowers, co-constructing knowledge together. The role of PAR is to provide the tools and resources to turn this epistemological position into transformative knowledge. Applying feminist standpoint perspectives to



PAR ensures that research is participatory and activist. Researchers can situate themselves in critical solidarity with participants, 'with the aspiration of redressing injustice and engaging transformative praxis for change' (Lykes and Crosby, 2014, p. 154). To fully explore the potential for collaboration in feminist research through a PAR framework, this chapter will now examine methodological understandings of PAR.

### *Participatory Action Research (PAR)*

'You cannot understand a system until you try to change it' (Lewin, 1946).

PAR is a form of methodology that actively attempts to change 'the system', rather than passively observing how it operates. Key to understanding what needs to be changed is understanding how social systems influence and impact individuals lived experiences, rather than making assumptions about the changes that need to be made from a position of academic or practitioner authority. PAR offers the opportunity for bottom-up change by situating research participants as experts in their own lives, inviting them to become 'collaborators in defining questions, selecting methods, analysing data and disseminating findings, with the goal of pursuing social justice and change directly' (Pain, 2009: p512). This means involving members of the participant community at stages of research that in other forms of research they are disconnected from.

The concept of PAR is often thought to have begun with the work of Kurt Lewin (1946). Grounded in organisational practice, his rationale in including practitioners in decision-making was that 'people would be more motivated about their work if they were involved in the decision-making about how the workplace was run' (McNiff & Whitehead, 2006: p36). Lewin used PAR to address issues such as segregation, discrimination, and assimilation, whilst simultaneously assisting people to resolve issues, prompt change and collect research data (Stringer and Genat, 2004; Macdonald, 2012).

Whilst Lewin did not formulate an official PAR cycle, preferring to view PAR as a distinct methodology rather than a formulaic method, the processes Lewin followed are still widely drawn on by contemporary action researchers; including the stages of observing, reflecting, acting, evaluating, and modifying within a cycle of research that can be reflected on and repeated in a spiral fashion (McNiff and Whitehead, 2006).

Paulo Freire (1970) built on the earlier ideas of Lewin's organisational PAR, to develop community-based PAR. Freire (1970) asserts that critical reflection is essential for personal, and therefore social, change (Maguire, 1987; Selenger, 1997; McIntyre, 2002). Freire (1970) was mainly concerned with literacy, land reform, and the community; particularly how PAR could empower the poor and marginalised members of society (Macdonald, 2012).

He also authored critical works of pedagogy, challenging the dominance and power social relationships held in traditional educational institutions and emphasizing the significance of critical consciousness development in the process of social change (Freire, 1970). Freire asserted that the individual should be knowledgeable about 'political, social, and economic contradictions, and to take action to change the oppressive elements of reality, thus liberating oppressed individuals' (Freire, 1970; Macdonald, 2012: p37).

Macdonald (2012) highlights the links between PAR and the development of the following trends within research:

'1. The radical and reformist approaches to international economic development assistance; 2. The view of adult education as an empowering alternative to traditional approaches to education; and 3. The ongoing debate within the social sciences over the dominant social science paradigm'(Macdonald, 2012: p 37; Maguire, 1987; Selenger, 1997).

Previously, largely as a result of the development of PAR within education by Freire, PAR remained within the field of education research. However, these more recent trends have opened up PAR to a wider range of researchers and research. These new participatory researchers, such as

feminist researchers, have 'extended participatory research by analysing power differences on the basis of gender, and supported the importance of collaboration between the researcher and participant' (Macdonald, 2012: p38; Maguire, 1987).

To fulfil the promise of PAR as a more democratic form of knowledge production, DeLyser (2014) identifies four main principles. Firstly, PAR seeks to bring community engagement and action to academic work. Secondly, it has a liberatory agenda which seeks to empower by reversing exclusionary or discriminatory practices; this is key when researching groups that have been 'othered' and are actively stigmatised in society, such as female offenders. Thirdly, participatory researchers commit to collaborative practises that 'give voice to research participants, validating and even prioritizing their knowledge' (DeLyser, 2014: p93), often above the perceived 'expert' knowledge of academics. And finally, participatory researchers require innovative models of research assessment because fundamentally within PAR, participation is research (DeLyser, 2014).

PAR as a methodology cannot be viewed simply as a way of doing research, particularly as there is necessary flexibility in how PAR research should be done, but rather as a belief about how research should be approached to ensure particular social democratic aims (McIntyre, 2008).

Participatory researchers consider that it is no longer enough to simply theoretically 'look to the bottom', by examining the lives or concerns of the most marginalised and unheard in society, but we must treat those 'at the bottom' 'as equal research partners who are presumptively best situated to identify, analyse, and solve problems that directly affect them' (Houh & Kalsem, 2015: p263). By committing to the PAR research process, researchers are committing to the repositioning of the epistemology of particular groups in society.

'When notions of right and wrong, justice and injustice, are examined not from an abstract position but from the position of groups who

have suffered through history, moral relativism recedes and identifiable normative priorities emerge' (Matsuda, 1987, p. 325).

By positioning the participants of research as collaborators, the power dynamic attached to the traditional researcher is shattered 'putting the voices and concerns of community stakeholders and research partners at the centre of the work itself' (Houh and Kalsem, 2015, p. 263).

With such strong emphasis on changes in social justice through action, Kemmis & McTaggart (2005) identify seven features that are key to the understanding of PAR, and are central to the methodological standpoint of this research:

1. PAR is a social process that 'deliberately explores the relationship between the realms of the individual and the social' (Kemmis & McTaggart, 2005: p280), with processes of individualization and socialisation shaping the individual and social relationships. PAR is a process in which people attempt to understand how they are formed and reformed as individuals and in relation to one another (Kemmis and McTaggart, 2005). For example, in this research, it is how the individual stories of women under supervision within the CJS come together to examine their collective experiences to improve the process of supervision for others in the future.

2. PAR needs to be participatory. It purposefully facilitates the individual to examine their knowledge (understandings and values) 'and interpretive categories (how they interpret themselves and their action in the social and material world)' (Kemmis & McTaggart, 2005: p281). During the process, collectively the individuals within the group determine how their knowledge has and does shape their identity, reflecting critically about how their knowledge prevents or dissuades them from action. This form of research cannot be done to someone, it must be done by them; therefore, research in this manner must be participatory (Kemmis and McTaggart, 2005).

3. PAR is practical and collaborative. In many ways, it can be viewed as an intervention, rather than simply research, due to how it differs from other

more passive forms of data collection. It invites people to examine the social practices that link them with others (Kemmis and McTaggart, 2005).

4. PAR is emancipatory. The process of PAR is designed to help people; by recovery or freedom from social structures that limit self-development and determination. Participants actively explore how they are constrained by wider structures (social, cultural, economic, political), whilst designing actions to overcome or highlight the injustices these structures present to the participating population (Kemmis and McTaggart, 2005).

5. PAR is critical. It is a 'process in which people deliberately set out to contest and reconstitute irrational, unproductive (or inefficient), unjust, and/or unsatisfying (alienating) ways of interpreting and describing their world (e.g., language, discourses), ways of working (work), and ways of relating to others (power)' (Kemmis & McTaggart, 2005: p282).

6. PAR is reflexive. PAR aims to help people to investigate their own reality to attempt to change it (Fals Borda, 1979). This is a deliberate process, performed through a series of spiral cycles of critical and self-critical action and reflection (Kemmis and McTaggart, 2005).

7. PAR aims to transform theory and practice. Rather than assume either theory or practice as leading the relationship between theory and practice, PAR aims to develop both through critical reasoning of their practice and consequences. Neither theory nor practice can out-grow or stand-alone from each other; theory and practice are inextricably linked (Kemmis and McTaggart, 2005).

'PAR involves "reaching out" from the specifics of particular situations, as understood by the people within them, to explore the potential of different perspectives, theories, and discourses that might help to illuminate particular practices and practical settings as a basis for developing critical insights and ideas about how things might be transformed' (Kemmis & McTaggart, 2005: p283).

Equally, it involves 'reaching in' from different theories and discourses to understand how participatory methods provide practitioners (such as

researchers) with a critical grasp of the problems and issues they encounter during the time spent with the participant population. Therefore, PAR aims to transform both practitioners' theories and practices and those of others whose perspectives and practices shape the experience of the participant group. In this way, 'PAR aims to connect the local and the global and to live out the slogan that the personal is political' (Kemmis & McTaggart, 2005: p283).

Collectively, the seven features identified by Kemmis and McTaggart (2005) offer a deeper understanding of the socio-political aims of PAR, and how these may be achieved, without giving specific instruction about the process of PAR itself. The next section will consider typologies of participation and how they become present in PAR, critically considering if full participation at every stage of the research, by every participant, when researching with criminalised women is desirable? Achievable? Or if it equates meaningful participation.

### *Considering meaningful participation*

Participation has become somewhat of a buzzword in social research in recent years. Criminology as a discipline appears to be experiencing a participatory turn, which can most obviously be seen within newly formed links between criminal justice agencies and the academy; often through knowledge transfer partnerships. PAR itself has often been written as a form of practitioner research, rather than a methodology an academic may employ to conduct research. This reflects hierarchies of knowledge held within the academy and the perceived nature of practice as inherently transformative.

The danger of participation as a buzzword or disciplinary 'fad' is that as academics and practitioners frame their work as participatory, assumptions are made about the representativeness and the transformative possibilities of research. Inherently, if the research itself should produce positive and transformative action, when it does not (due to issues of tokenism or non-

participation) ultimately this is perceived as problems with the participant group; rather than the assumptions made about 'participatory' research that has not sought participation in meaningful ways.

To understand what participation means, Arnstein (1969) proposed a ladder of participation (see figure 1). This ladder identifies engagement with the project from the perspective of those taking part. A truly participatory project achieves citizen power, shown at the top of the ladder. Arnstein (1969) identifies consultation, informing, and placation as merely tokenistic gestures of participation, and at the bottom, non-participation includes therapy and manipulation. Arnstein (1969) viewed the efforts of development companies that claim participation as tokenism, rather than true citizen power.

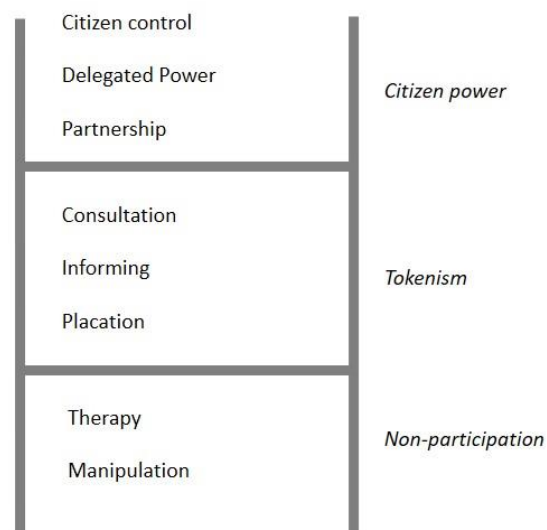
'Consultation is widely used, north and south, as a means of legitimating already-taken decisions, providing a thin veneer of participation to lend the process moral authority' (Cornwall, 2008, p. 270).

Her critique could easily be aimed at some forms of social research which attach participatory/ participation to methods that situate participants as vessels of knowledge rather than co-producers or directors of research; participation is more than participants taking part in data collection.

Pretty (1995) offers a typology of participation that is perhaps more in line with participatory approaches (see table 1). Within PAR, the level of participation that is aimed for is interactive participation. This is reflective of the aims to include members of the participant group at all stages of the research.

'People participate in joint analysis, development of action plans and formation or strengthening of local institutions. Participation is seen as a right, not just the means to achieve project goals. The process involves interdisciplinary methodologies that seek multiple perspectives and make use of systemic and structured learning processes. As groups take control over local decisions and determine how available resources are used, so they have a stake in maintaining structures or practices'. (Cornwall, 2008, p. 272).

This understanding is useful, but as Cornwall (2008) points out, thinking about participation in this way is less clear cut in practice, particularly when actioning participatory ideals within research. White (1996) offers a combination of Arnstien's (1969) ladder of participation and Pretty's (1995) typology of participation to suggest a typology of interests within participation. For the purposes of this study, participation is both representative and transformative.



Arnstien's (1969) Ladder of Participation, adapted from Cornwall (2008).

Figure 1 Arnstein's (1969) Ladder of Participation, adapted from Cornwall (2008)



Manipulative participation	Participation a pretence. Un-elected people's representatives sit on boards, but with no power.
Passive Participation	People participate by being told information. The data is from and belongs to professionals.
Participation by consultation	People participate by answering questions. Knowledge is exchanged in one direction. Professionals define problems and perform analysis.
Participation for material incentives	People participate by contributing resources in exchange for a reward. However, they do not take part in the research or hold a long-term stake in outcomes.
Functional participation	Participation as a way to achieve project goals. An example of this may be the use of volunteers, 'local people co-opted to achieve external goals'.

Interactive participation	People participate in joint analysis, devising action plans, and participants have a stake in future outcomes.
Self-mobilisation	People taking initiative independently of external institutions.

Table 1 Typology of participation adapted from Pretty (1995) (Cornwall, 2008: 271).

For it to be representative, participation from a researcher point of view is sustainable without creating dependency. From the participant perspective, it gives them leverage to shape the project. Ultimately, participation is to give people a voice in their own development.

For it to be transformative, participation from the researcher point of view is empowerment, enabling people to make decisions and act. From the participant perspective participation is also empowerment, as they can decide and act for themselves. Ultimately, participation is a ‘means to an end, a continuing dynamic’ (Cornwall, 2008, p. 272).

Within this research, great efforts were made for the level of participation to be as transformative as possible. However, the constraints of the participant group, including their positions in society, responsibilities within their everyday lives, and how these intersected with the added dimension of punishment, meant that where aspects of the research felt short of transformative participation, representative participation was achieved. To achieve meaningful participation in this way, accessibility to the research was a key factor.

By bringing together feminist research practises (detailed in section 3.1) and community-based PAR (detailed in section 3.2) a combined epistemological and methodological focus can be applied that prioritises more meaningful participation. Hill, Bond, Mulvey, and Terenzio (2000) identify seven features of this combined approach:

- ‘1. Integrating a contextualised understanding;
2. Paying attention to issues of diversity;
3. Speaking from the standpoint of oppressed groups;
4. Adopting a collaborative approach;
5. Utilising multilevel, multimethod approaches;
6. Adopting reflexive practices; and
7. Taking an activist orientation and using knowledge for social change’ (p.760).

Arts-based and visual research methods (discussed broadly within this research as creative methods) offer accessible ways of creating and collecting data whilst adhering to these principles. Particularly as they provide avenues for contextualising understanding due to the less restrictive nature of creativity in comparison to traditional research methods. Diversity can also be easily catered for with creative methods as they can provide solutions to issues concerning literacy and understanding by prioritising non-textual based ways of knowing. The next section explores creative methods of research, explaining how a creative approach to data collection and analysis can increase inclusivity and promote meaningful participation.

### *Creative social research*

The use of creativity in criminological research is a recent phenomenon. Since the publication of ‘Just Images: Aesthetics, Ethics and Visual criminology’ by Carrabine (2012) more attention has been paid to the visual and sensory aspects of criminology. This identification of the importance of images focuses heavily on images of crime and deviance that exist around us within society; in newspapers, magazines, films and media. However, the inclusion of such visual material within criminological thinking has opened

the door for arts-based methods of data production and collection within research; introducing creative data collection to criminological research.

‘Creativity is any act, idea, or product that changes an existing domain, or that transforms an existing domain into a new one. And the definition of a creative person is someone whose thoughts or actions change a domain or establish a new domain. It is important to remember, however, that a domain cannot be changed without the explicit or implicit consent of a field responsible for it’ (Czikszentmihalyi, 1997, p. 28).

Czikszentmihalyi (1997) asserts that everyone can be creative; it is the domain within which that creativity is enacted that has the power over whether such creativity is accepted as legitimate or not. Czikszentmihalyi (1997) is talking more specifically about the gatekeepers to what can be considered high culture here, rather than what can be considered data (McIntosh, 2010). However, the argument for a creative individual as a force for change is the premise of combining arts-based and creative methods with PAR. It is the visual turn (Carrabine, 2012) within criminology that has created the conditions for creative research to change the domain of criminology. To fully understand the transformative role of creativity in criminological research, it is firstly important to examine the relationship between feminist criminology and the visual.

### *Feminist criminology and the visual*

Visual research methods have grown in popularity within the humanities and social sciences, but this has been a fairly recent occurrence (Carr *et al.*, 2015). Partly, this can be attributed to the increasingly easier access to technology for a wider range of groups, through the popularity of relatively cheap smartphone technology, and a move towards interpretivist research approaches (Stanczak, 2007; Harper, 2010; Ray and Smith, 2011). This trend has now begun to impact criminological research, with visual methods and visual iconography gaining wider currency under the term ‘visual criminology’ (Rafter, 2014).

'Visual Criminology' is a broad term that includes the production, encounter and analysis of a range of images through mediums, such as photography (Carr *et al.*, 2015). 'Cultural criminologists' were the first to engage photography with criminology (Hayward and Presdee, 2010), arguing that mainstream criminology is 'ill-equipped to critically engage with the image-saturated worlds of crime and control' (Ferrel & Van de Voorde, 2010: p48).

Therefore, visual criminology has been developed as a response to the dominance of text as knowledge within criminology, just as feminist criminology is a response to the problem of generalization and the androcentric nature of criminology (Henne and Shah, 2016). In doing so, both strands of a more critical criminology 'brings attention to overlooked dimensions of crime and power relationships underpinning mainstream criminology' (Henne and Shah, 2016, p. 2).

Whilst gender is ultimately a core consideration of feminist criminologists, the partnership of feminist and visual criminology offers an analysis of the structures within which crime is created, inequalities replicated and holds up a critical mirror within which criminology as a discipline can reflect on its limitations (Henne and Shah, 2016). A visual feminist methodological partnership can, therefore, uncover subjugated knowledges that conventional criminological methods have failed to prioritise and uncover.

Arguments that surround the creation and interpretation of images of policing and public order are plentiful, particularly those created by journalists, whilst 'mug shot' images of criminals or the individual victims are widely circulated (Carr *et al.*, 2015). However, images depicting community sanctions, such as probation, have received very little attention, as the emerging field of visual criminology has mirrored the wider neglect of criminology scholars by assigning little attention to community sanctions and measures (McNeill and Beyens, 2013). By combining visual and feminist research practises, this gap in knowledge can be addressed, and novel understandings of punishment and life after criminalisation can begin to be sought.

Carr et al. (2015) were the first of a small number of scholars interested in probation practice in Europe to capture the experiences of practitioners and those who are subject to supervision using visual methods of data collection. In 'Picturing Probation' they use photovoice with probation officers across Europe as a form of comparative research that cuts across the barriers found within textual comparative research across multiple jurisdictions. Leaders in the sub-discipline of probation studies (Carr *et al.*, 2015; Fitzgibbon and Stengel, 2018; Fitzgibbon, Henry and Strapkova, 2018; Fitzgibbon and Healy, 2019), acknowledge the advantages of visual methods for overcoming barriers associated with language, including native language, interpretations of language, and institutional language differences. Whilst this study does not span multiple jurisdictions, there are still issues of language, communication, and understanding; which visual methods can overcome.

### *Creative data collection*

Visual data has an important role to play in reconstructing our understandings of the world around us from a feminist standpoint. However, creative research methods extend beyond the visual; with methods, such as roleplay, drawing, dance, storytelling etc... These creative techniques for data collection and analysis can also be used individually, or in combination, within participatory research. Creative practises in PAR can be broadly arranged in three strands.

- 1) Corporal expression. This includes dramatic play, such as role-play, theatre and dramatic multiplication (Pavlovsky, Martinez Bouquet and Moscio, 1985).
- 2) Drawing. This includes physical creativity 'outside of ourselves', such as drawings, collages, photography, and model making (Butler-Kisber and Poldma, 2010).
- 3) Verbal techniques. This involves narrative work, storytelling, description, and the analysis of previously presented work (Lykes and Crosby, 2014, p. 168).

When used in conjunction with PAR, the flexibility of creative research methods becomes a significant link between methodology and method. The ability to offer participants approaches from each of the above strands enables a personalisation within the research. For example, within this research, the participants created maps, photographs, and creative writing. They then used verbal techniques to explore the collected data, produced earlier by themselves and others. During this exploration and analysis, some of the women used storytelling and dramatic play to fully discuss, explore, and analyse the data collected.

Mannay (2016) suggests that the use of arts-based methods is a way of making the strange familiar. Stepping out of 'dominant paradigms may suspend taken-for-granted understandings and open up the possibility of ... creative and critical research to understand the other' (Stouffer, Jeffrey and Olivia, 2004 quoted in Mannay, 2016, p. 32). However, equally, the ability for creative methods in research to overcome the constraints inherent within language and open us up to new connections and experiences that are usually restrained within the meanings and judgements that language holds, means that creative methods are a deliberate tool in making the familiar strange.

'To capture women's voices, our methodologies and methods should provide a medium for direct documentation of women's experiences as they perceive them' (Campbell and Salem, 1999)

The use of drawings or photographs can, for the researcher and wider audience, strip back dominant discourses to reveal previously silenced accounts of institutional and structural experiences. Researchers who are 'near' to their research, such as me, can create distance from the data collected. The creative process and outputs that form the data belong solely to the participants. Therefore, the use of storytelling, roleplaying and dramatic expression during analysis enabled them to step back from the familiar and make the data strange. Reflective practises, by the researcher and the researched, throughout this process demonstrated exactly how the

familiar and points deemed not normally 'worthy of discussion' became themes of interest, discussion, and evaluation.

Within this research, the creative methods chosen were photovoice, with photo-elicitation as part of the collaborative visual analysis, creative writing, and mapping. Beginning with photovoice, the remainder of this section will consider each of these methods in turn before concluding with an examination of a collaborative analysis of creative data.

### *Photovoice*

'Photovoice is a participatory action research methodology based on the understanding that people are experts on their own lives' (C. Wang & Burris, 1997; C. C. Wang, Burris, & Xiang, 1996; cited in C. C. Wang, Morrel-Samuels, Hutchinson, Bell, & Prestronk, 2004: p911).

Photovoice is a form of feminist research method that is young but growing in popularity within the social sciences. It has been more frequently used in healthcare sciences, often hand in hand with a PAR approach (Hergenrather, Rhodes and Bardhoshi, 2009). As photovoice is a flexible method of collecting rich qualitative data, it has been used with various culturally diverse groups, often within development studies, anthropology, and health (Wang and Burris, 1997).

Considering the diverse groupings photovoice has been used with, surprisingly it is only very recently that photovoice has begun to be used with groups who have had contact with the CJS. Such studies have primarily focused on challenging wider assumptions about female prisoners and ex-prisoners (Jarldorn, 2015), and more recently by researchers examining offender supervision (Carr *et al.*, 2015; Fitzgibbon and Stengel, 2018).

Previous studies often take a participant group, such as (ex)prisoners (Fine *et al.*, 2003), and construct a community based on that shared identity, in a similar way to the studies focusing on particular aspects of living with HIV (Rhodes, 2006). Photovoice produced by HIV patients or (ex)prisoners can then explain the views of others who can be considered part of that community. This has been proven to produce rich and insightful qualitative



data from previously 'hard to reach' groups. Whilst this is useful for those who are subject to total institutions and to explain the experience of imprisonment, where experiences will only vary to a certain degree, it can limit the effectiveness of the methodology in situations that expose individuals to often multiple memberships of what can be considered community. For example, when considering criminalised women subject to community punishment, the extent to which an image relates to a woman's criminalisation may be lesser than the extent to which an image relates to them living in a specific area, their identity as a mother, or their intersectional position within society.

This study indeed selects participants due to a certain characteristic - in this case, all are supervised in the community or 'under probation' - whilst simultaneously respecting that being an 'offender' does not mean the individuals belong to a community of 'offenders'. Rather, photovoice is used to understand the lived experience of being subject to community sanctions and supervision. It is the collective experience of being criminalised as a woman that this research explored through photovoice; including how the processes of criminalisation are experienced and replicated by the spaces within which women are punished beyond the prison gates. As such, this research openly invited wider understandings of women's lives rather than just focusing on the punishment itself.

### *Creative writing*

Although visual methods of data collection challenge the dominance of textual data within hierarchies of knowledge, not all textual data items are considered of the same value or worth. When we consider textual data that holds power, we are discussing reports made by professionals, that books are written by academics and the printed word. Since the 17<sup>th</sup> Century, language has been split between the creative and the 'plain language and objectivity' associated with scientific writing' (Richardson and Adams St. Pierre, 2000).

Imaginative writing that is creative and forward-looking, rather than descriptive of events or experiences, is discredited as a form of knowledge (Richardson and Adams St. Pierre, 2000). The story-telling used by marginalised groups, usually communicated verbally, has always been viewed in contrast to the legitimacy and power of the printed word (Bell, 2010). Challenging dominant discourses through story-telling by marginalised groups, particularly in criminal justice and law, has the potential to hold transformative power; for 'those whose stories are believed have the power to create fact' (Scheppelle, 1989, p. 2079).

However, how stories are received and interpreted can become problematic when interpreted by those who are situated externally to the subjugated group; posing the danger of stories becoming distorted as they are dislocated from their original social contexts. Creative writing and storytelling's potential 'as a tool for social change is remarkable provided we pay attention to the moral vision that underpins how we hear and take up the stories of oppressed groups' (Ranzack, 1993, p. 56).

The use of creative writing can help uncover knowledge that cannot be spoken about directly; due, for example, to reliving trauma, embarrassment, or stigmatisation. By giving the space for women to express themselves creatively through text, narratives that challenge dominant discourses and highlight oppressions and inequalities can be elicited. Photovoice offered the women in this study the opportunity to show visual representations of their lives, whilst creative writing invited them to use their imagination and offer a more fictional or forward-thinking insight into their thoughts and feelings. As standalone pieces of data, these are valuable, yet it is through mapmaking that the women in this study were able to start embedding structure and constructing meaning between various events, spaces, relationships, and emotions relating to punishment and the wider contexts of their lives.

### *Mapping*

Maps, as we know them today, are often sophisticatedly created, using technological resources that then go on to represent intricate relationships between economics, politics and power (Lykes and Crosby, 2014). However, traditionally maps have been a tool used to recount stories, songs, folk-law, and dreams; depicting how these relate to space (Blanchet-Cohen, Ragan and Amsden, 2003). Previously, feminist researchers have used genograms (maps of the family) to understand migration and deportation (Brabeck, Lykes and Hershberg, 2011), community maps to understand safety and risk in relation to HIV (Kretzmann and McKnight, 1993), and body mapping to facilitate research with survivors of sexual violence (Lykes & Crosby, 2015).

By encouraging criminalised women to create maps of their experiences, mapping reinforces the 'recognition that the distinction between the private and the public is not fixed and immutable but culturally specific and socially constructed' (Jackson, 1989, p. 104). Identifying the importance of the 'home' for the reproduction of patriarchal gender relations, self-made maps offer the opportunity for women to fully illustrate the very real ways in which they experience the oppression of being women subject to punishment in the community.

### *Analysing arts-based and creative data*

Lykes and Crosby (2014) identify the importance for feminist researchers to include the participant group within every stage of the research; including interpreting findings and performing analysis. Although they also recognise that this can be one of the hardest parts to ensure participant involvement. When performing analysis in PAR, the process itself is a teaching and learning method; through which 'coresearchers engage in action-reflection iterative processes in order to generate knowledge' (Lykes & Crosby, 2014, p. 170). As such, data analysis becomes a space for developing critical consciousness and for learning skills. In this space 'women have the opportunity to perform their multiple self-understandings, increasing self-confidence, and participation' (Lykes & Crosby, 2014, p. 170).

Previous feminist research that has included female participants in its analysis has found that it is the development of critical consciousness and learning skills within this phase that generated some of the most profound action. Lykes and Crosby (2015), in their research with Mayan women who were survivors of gross violations of human rights committed during the 36-year Guatemalan armed conflict, describe how the product of the action-reflection analysis stage, a book, had served them personally and as a collective in multiple ways. It gave them a legacy, a 'museum' of histories and ideas that will not be forgotten but handed down through generations. The book also gave them their 'Never Again'; the women drew comparisons between the book and a military archive that had recently been opened as a way of securing justice for the victims of the war. Whilst official 'truth-telling' reports were made by the Catholic Church's Recovery of Historical Memory (REMHI), this book was viewed very much as the coresearchers own 'truth-telling' report; circumventing institutional perspectives and speaking directly from the lived experiences of the Mayan women who experienced war first hand (Lykes & Crosby, 2014).

The women in Lykes and Crosby's (2014) research could continue their economic development work by selling the book. This allowed them to run workshops based on the skills learned during the original research process, going on to interview women, men, and children, furthering the scope of the original research. This further engagement was used as a tool for mental health, and as a way of coming to terms with the experiences that the coresearchers and new participants shared. These workshops allowed the women of Chajul to 'see themselves reflected in others, and thus, they were an important reflexive and community building experience for all' (Lykes & Crosby, 2014, p. 170).

Lykes and Crosby's (2014) research is one of many examples of feminist research that demonstrates how meaningful participation at all stages of research produces action for both the researcher - through meaningful data, analysis, and understanding - and the researched - through the acquisition

of skills, increased reflexivity, and more practical ways of seeking social justice for them and others. By utilising data collection methods that prioritise creative thought processes, photovoice, creative writing, and mapping, there is potential for greater engagement in knowledge production by people normally excluded from such processes. This increases the transformative potential of this research. However, there is a danger that relying on such methods to solely create action and transformation can place an over-emphasis on the ability of this research to dramatically change the lives of the women who take part. The next section will challenge such assumptions and consider the challenges and limitations of these methods.

### *Methodological assumptions, challenges, and limitations*

Feminist criminologists highlight how the discipline is Occidentalised, by disavowing important forms of difference, and Orientalist, by reducing 'marginalised groups to essentialist depictions of exotic others' (Henne and Shah, 2016, p. 5). Therefore, the feminist, visual, and participatory methodologies employed within this research should be understood as a direct response to the limitations, challenges and assumptions made repeatedly within mainstream androcentric criminology.

Yet prioritising the experiences and the voices of the most marginalised in society can cause conflict with populist criminology, leaving feminist research open to critique and questions of validity. Generalisability is viewed as the goal of most mainstream theory. Criminologists seek understandings of crime that can be applied to the majority; which, when applied to those subject to punishment, means theories that are based on men. Feminist research and PAR seeks to understand the lived experiences of those that are most marginalised, which, in a criminal justice context, often means women. This section addresses some of the criticisms levelled specifically at feminist research, and how these are addressed by feminist researchers, before considering validity in PAR.

### *Issues for feminist research*

‘The legitimacy of women’s own understanding of their experiences is one of the hallmarks of feminism’ (Maynard, 1994, p. 23).

Early feminist research overcame the absence of understandings of women’s lived experiences, addressing the gendered silences, by encouraging women to speak about their realities. However, as Maynard (1994) explains, there are problems with placing heavy emphasis on experience.

‘Peoples accounts of their lives are culturally embedded. Their descriptions are, at the same time, a construction of events that occurred, together with an interpretation of them’ (Maynard, 1994, p. 23).

Not only are the women at the centre of this research performing an interpretation of their experience that is socially mediated, but the researcher is also involved in interpretive practices. This is problematic for some feminists who see that anything more than ‘women speaking for themselves’ is a violation. However, feminist research itself is rooted in theory; feminism is a theoretical framework that addresses gender oppressions and patriarchal control as it informs our understandings of the social world (Maynard, 1994). Feminist research forms an activist position and cannot be apolitical. Therefore, ‘no feminist study can be politically neutral, completely inductive or solely based in grounded theory. This is a contradiction in terms’ (Maynard, 1994, p. 23).

Feminist research is therefore open to critique due to the potential for political bias, due to the activist nature and feminist values attached to feminist research. To overcome some of these issues, feminist research practises a high level of reflexivity. This situates the researcher within the research, pulling out their assumptions and influence on how the research is conceived, designed, implemented, and then results analysed (Flavin, 2001).

Strong objectivity promotes validity, and feminist scholars who approach research in this way can produce knowledge that is useful as well as

performing a critique of the power relations that exist within 'traditional' research practises (Naples and Gurr, 2014).

'Strong objectivity acknowledges that the production of power is a political process and that greater attention paid to the context and social location of knowledge producers will contribute to a more ethical and transparent result' (Naples and Gurr, 2014, p. 20).

Harding (1991) asserts that research that does not acknowledge the power and social location of the social actors involved in knowledge production can only offer a weak form of objectivity. Thereby undermining the epistemic authority, and potentially serving to marginalise the very groups for whom the research could or should perform emancipatory functions for. However, whilst objectivity can promote a higher level of validity in feminist research, other considerations need to be made, specifically those that relate to validity in PAR.

### *Establishing research validity*

PAR should strive to meet five types of validity; outcome validity, democratic validity, process validity, catalytic validity, and dialogical validity (Ozanne and Saatcioglu, 2008). Outcome validity is how well the research concludes with a successful resolution of the relevant problem. This has also been called 'knowledge for action' (Cornwall *et al.*, 1995) and 'extended epistemology' (Heron, 1981). Outcome validity is achieved when research produces knowledge that promotes social welfare (Ozanne and Saatcioglu, 2008). Outcome validity cannot be achieved when those from the focus population are excluded from participation in knowledge production (Murray and Ozanne, 1991).

However, there are issues with relying on outcomes as a measure of validity as questions can be asked about who benefits from the answer to the research problem. Democratic validity offers a solution by concurring that it is the extent to which relevant stakeholders in the problem participate in the research, with the degree to which participants' life experiences and perspectives inform the research dictating validity (Anderson and Herr,

1999). Within participatory research, democratic validity is achieved when maximum diversity in participation is achieved.

Process validity 'is the extent to which problems are investigated in a way that allows for ongoing learning and improvement' (Ozanne and Saatcioglu, 2008, p. 4). PAR should always aim to develop skills for all collaborators, this does not have to be practical skills but can also be skills of critical self-reflection. For example, Pavia and Mason's (2004) interviewees found the process therapeutic and emotionally beneficial. The formation of meaningful collaborative relationships is key for this level of process validity to occur; trust and rapport are essential (Hirschman, 1986).

'In addition, allowing collaborators to participate across several cycles of reflection and analysis increases process validity by avoiding premature closure and increasing the opportunity for the consideration of multiple perspectives' (Herr and Anderson, 2005; Ozanne and Saatcioglu, 2008, p. 4)

Catalytic validity is concerned with the extent to which the research facilitates participants learning and motivation to transform aspects of their lives both within and beyond the research itself. Catalytic validity is also concerned with the sustainability of the changes made within the research, specifically how the research impacts a wider audience far beyond the age of the initial project (Ozanne and Saatcioglu, 2008). In other words, catalytic validity concerns both the individual within the research, and how the research impacts them, whilst also aiming to assess the extent to which the research has impact within relevant contexts across time and space.

Finally, dialogical validity requires heightened critical reflection as 'action researchers engage in debates to challenge the research findings for alternative explanations, inconsistencies, problematic assumptions, biases, failure to include key stakeholders' (Anderson and Herr, 1999; Ozanne and Saatcioglu, 2008). To achieve this, action researchers often work in multi-disciplinary teams or work across disciplines themselves. This is due to the nature of social issues, which are often too complex to be understood from



only one disciplinary perspective. Critical dialogue across disciplinary boundaries can promote and help achieve dialogic validity.

Whilst it may appear that feminist research practises and PAR require differing approaches to the assessment of validity, to the notion of reflexivity within research underpins both the five points of validity for PAR and issues with feminist research practices. Both feminist research practises and PAR value the increased sense of self and participant awareness to promote validity. It is only by reflecting on the researcher and participant roles continually can the five objectives of PAR validity be met.

### *Conclusion*

This chapter has provided the theoretical underpinning of the epistemological, methodological and theoretical frameworks employed within this research. Through thoughtful consideration of feminist research, both empiricism and feminist standpoint, it becomes clear that PAR from a feminist standpoint position is what is required to examine the marginalised voices of those women subject to punishment within the CJS. This is an important methodological duality that contributes to pushing back intersectional relations of power, inequality, and oppression through questioning the very nature of knowledge itself.

To challenge traditional, androcentric forms of knowledge, marginalised women's voices are elevated to positions of authority through participation within the research that is both representative and transformative. Traditional methods of qualitative research have provided androcentric research tools to produce male-focused theory, whilst simultaneously erasing gender in research. Further studies have built on these theories, with similar 'traditional' qualitative approaches leading to complicity rather than a challenge to the dominant androcentric theory as it asserts its gender-neutral state. Therefore, uncovering the subjugated knowledges ignored in mainstream approaches becomes somewhat of a methodological challenge. We cannot hope to know women's experiences of punishment fully if we

apply methods of data collection and analysis that have always favoured and reinforced the understandings of men as gender-neutral.

Feminist and participatory methodologies offer a framework within which innovative creative methods can provide an alternative research design that unlocks the subjugated knowledges of women subject to community punishment. Creativity itself is a vehicle for transformation. However, the domains within which creativity occurs need to acknowledge the role of creativity in transformation for this to occur. Dominant notions of what is valid and rigorous as data uphold limitations on what can be considered knowledge, with textual data given more credibility over visual approaches. Yet the use of textual data serves to reinforce hierarchies of power, where structural inequalities remove an individual's ability to have their story heard or represented. Creative approaches, such as mapping and photography, offer alternative ways of producing knowledge that cuts across issues of accessibility.

Within the discipline, visual criminology has become more popular in recent years, largely in response to the mediated world within which we now live. This acknowledgement of the importance of visual representations to criminology has opened the door for more creative, and therefore transformative, approaches to research and knowledge production. The process of creative data collection can make the strange familiar for those who do not possess the same frames of experience as those within the research, whilst also making the familiar and mundane, strange.

Whilst there are issues of placing an over-emphasis on experience and voice, as individual's experiences are culturally embedded, with interpretation from both participant and researcher. The notion of strong objectivity overcomes this, by promoting a high level of reflexivity on behalf of the researcher. By prioritising feminist reflexive practices within a methodological framework of PAR, space is opened up for critical reflection by the participants. Researchers are not only asking the women's stories but

inviting and creating the conditions for a high level of reflection and analysis by the women of themselves.

The inclusion of criminalised women as co-creators of knowledge, ever-present throughout each stage of the research process, brings together feminist and participatory research practises; ensuring that the focus of the research, the collection of data, and critical analysis of the data are at a minimum representative, with the aim of becoming transformative. The next chapter moves away from the philosophical perspective of feminist and participatory methodology, to explain how the aim of co-creation from a feminist standpoint position was achieved in practice. A position of strong objectivity is crafted in this chapter. By identifying and describing the process of the research design, including critical reflections on specific challenges of conducting feminist participatory research, the validity and rigour of this research is demonstrated.

#### **Chapter 4: Research Design**

The previous chapter has demonstrated the need and value of applying a qualitative methodology to this research, specifically a feminist participatory framework. This is because qualitative methodology is designed to 'describe and understand, rather than to predict and control' (Macdonald, 2012: p34; Streubert & Carpenter, 1995). Due to the nature of the participant group, criminalised women, it was critical that this research prioritised their voices as representatives of those under criminal justice intervention. Without this, there is a danger the research would, to an extent, serve to reinforce the power imbalance between those in power (lawmakers, criminal justice practitioners, and researchers), and those who are subject to it (the participants of this study). Therefore, a research design was implemented that questions 'the nature of knowledge and the extent to which knowledge can represent the interests of the powerful and serve to reinforce their positions in society' (Baum, MacDougall, & Smith, 2006: p854).

Within this chapter, the research methods used in this study - photovoice, mapping, and creative writing - will be discussed in more detail, before considering the value of co-produced analysis and coding through a process of photo-elicitation. The selection of sites, participants, and methods will be detailed, with consideration of researcher reflexivity within this research. The limitations of this research design, including how things did not always go to plan will be discussed, before considering the ethical implications and practicalities of this research. The chapter begins by charting the process that PAR offers both researcher and participant through a PAR spiral, describing how each methodological turn is translated into research practice.

### *The Participatory Action Research process*

When designing a PAR project, participants are positioned as an integral part of the process. Once this has been accepted and assured, attention turns to how exactly PAR should be done. Whilst there is no set formula for designing PAR, there are specific attributes that are found at different moments throughout the research process. This is a 'cyclical process of exploration, knowledge construction, and action' (McIntyre, 2008: p3). Lewin (1946) described it as 'proceeding in a spiral of steps, each of which is composed of planning, action, observation and the evaluation of the result of the action' (McTaggart, 1991: p315).

Previous studies have shown that the context of the research is the main driver in the process that is developed (McIntyre, 2008). This means that different contexts will produce different variants of the process used in this piece of research, often with different language used to label each stage of the process. However, despite such variations, PAR is often displayed as a spiral of self/collective reflection, with self/collective action (Kemmis & McTaggart 1988; Kemmis & McTaggart, 2005; McTaggart, 1991). The figure below (figure 2) demonstrates the spiral, modified from Kemmis & McTaggart (2005), to suit the context of this research.

At each point during the research, a set of activities occurs, depending on the place in the spiral; this will either be the first time or a refinement of a previous spiral. The PAR process begins with observing and ends with sharing the results; each stage involving the participant population. It should be noted that whilst the spiral aides in the understanding of how PAR ideology links with the activities contained within PAR, it is simply a way of visualising how PAR is 'different from traditional empirical-analytic and interpretative research in both its dynamism and its continuity with an emergent practice' (McTaggart, 1991: p315). The next section visualises the PAR spiral (figure 2), whilst also offering a detailed reflection of the activities that took place at each stage of the PAR process within this research.

### *Observation*

Observation begins by recognising that a community may benefit from the PAR process. Within this research, the identification of the research need was made in various ways. Firstly' an examination of the existing research was completed with a literature review. This identified how recent changes

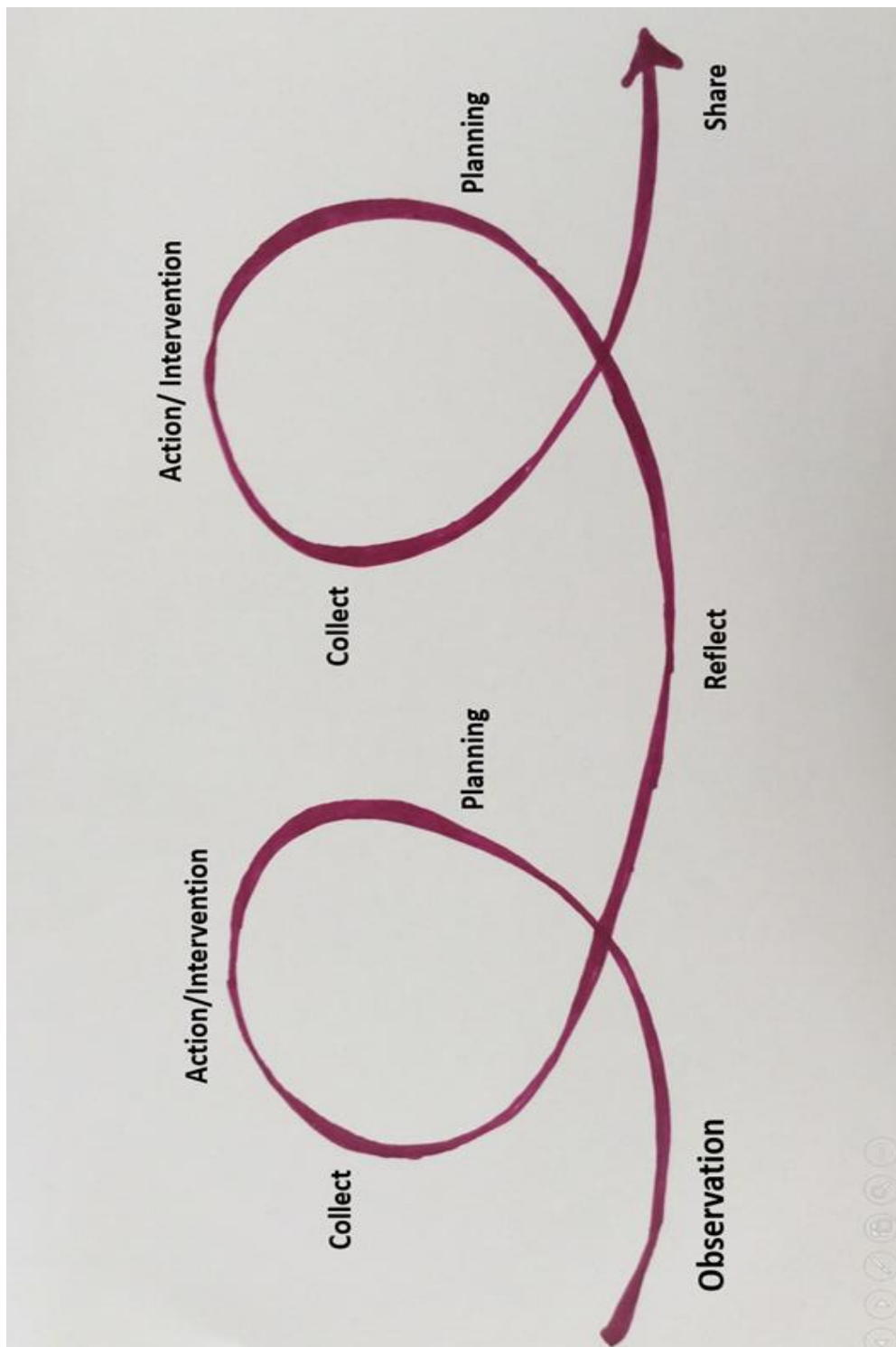


Figure 2 PAR process spiral.

in policy (namely, TR) had the potential consequences for the lives of the participant population but had yet to be explored in criminological research.

Initial observations of women's experiences of punishment were also drawn from the experiences of the researcher; including previous work undertaken within the voluntary sector and previous experience of community punishment. Based on these observations a research proposal was created and an ethics proposal submitted to the ethics committee. At this stage in the research process, ethical approval was granted. Observation was a key feature of every contact, where key features of the participant group, research setting, and institutional dynamics were observed and considered, identifying any issues that may arise or analytical observations. As such, observation was a continual activity within this research and not just the initial stage.

### *Planning*

The planning of the action identifies the needs of the participant population, considering their abilities and interests. PAR may exclude the participants from the planning stages. However, for the research to be truly participatory the participant population is involved in this stage. During this research, early planning sessions with the peer mentor (PM) participant group facilitated participant involvement in the planning of this research. With the assistance of the researcher, this group identified the types of action that they would enjoy, could complete (regardless of able-bodied status, or levels of literacy), and would produce action. The planning stage is repeated at each round of PAR to enable adjustments to be made to meet the needs of the current group and respond to issues or outcomes arising from the previous cycle of PAR.

Although the ethics committee had approved the research. At this point I contacted a voluntary sector agency (PM group) that I had worked with in the past to gain access and seek the volunteer's views on the focus of the research; including what they thought would be useful to examine, and how

they may like to approach the research as co-producers of the research. In the ethics application, I discussed creative methods and photovoice. However, at this stage, if the women had not been receptive to such methods a revised ethical application would have been submitted.

It is important that whilst the researcher can identify and offer a range of practical research activities, they also need to be willing and enthusiastic about changing the methods of data collection offered to the participant group if they express the wish to use alternative methods. This can result in research false starts as the needs of the participants are prioritised above the bureaucratic nature of the research process.

Within the first cycle of PAR, the planning session consisted of modifying the language on the participant information sheets to ensure accessibility, discussing the various forms of data collection method, and trying out the toolkit developed for research. Once this was approved, the research moved forward.

Subsequent planning sessions in cycle two with the women's centre (WC) participant group included discussions about how the data could be built on; for example, the use of maps to think about where and what the women may photograph. Two PAR cycles were completed through the first organisation (PM group); the CEO of the project then gave me the contact details of a similar organisation that could provide a second site for research.

At the second organisation (WC Group), another initial consultation occurred with the general manager, followed by consultation with volunteers and criminal justice staff. Within the second planning session, participant women were included. Here decisions were made about the process; which, through negotiation with the participants and staff, changed the frequency and length of contact time allocated to the research.

The second planning stage occurred after a period of reflection, embedding the reflexive and flexible nature of PAR within the research design. Allowing for evaluation of what was working well and what the women were less



enthusiastic about. Ultimately, this improved the data that was produced as less time was spent on tasks that were not producing outputs, and the cycles could be tailored to the needs and abilities of each group.

### *Action/ Intervention*

The action or intervention consisted of meeting together at the PM group and WC group premises for a session. This interrupted the normal day-to-day activities and made a space for critical reflection, discussion and commitment to the PAR process by both participants and researcher. The overall action creates a space for data collection, analysis and reflection to occur. The action is, therefore, the time and space within which the research occurs but is not limited to the collection or analysis of data. Action is also the discussions held amongst the group, observations, and critical self and group reflection that occurs within this time. There does not need to be a visible product of this action, for example, self-reflection can lead to action through personal growth.

### *Collect*

The collection stage is the point in the PAR process that produces researchable data and promotes intense self-reflection. This is the point where differing qualitative research methods may be used to elicit understanding and knowledge production, whilst facilitating the self-reflection required to promote growth and change.

Within this research, the data was collected in several ways. Firstly, creative methods were used in the form of map-making and worksheets. These were completed in a workshop setting on the premises of each gateway organisation. This produced visual and textual data in the form of letters (Dear Future Me..) and maps. Secondly, the women involved in the study were given disposable cameras to take away from the session. After two weeks, the women returned the cameras for developing and the photographs that followed became part of the data. Further data was

recorded in the form of audio files that were recorded during group and individual analysis as part of a photo-elicitation exercise.

### *Reflect*

At this stage of the PAR process, the participants and researcher came together to examine the outputs of the collection phase, often using this to identify key themes within the research or identify further actions required to complete the research aims. Within this study, the reflect stage is the point in which participants present their findings to each other and the researcher, in later stages formally coding the data and performing photo-elicitation.

Reflection occurred in three distinct ways. Firstly, this time was used for group analysis of the photographs. The women coded the photographs, assigning meaning to each photograph as part of a group. The first group themed the images collectively and then discussed their own images within the group elicitation. Sparking reflection and discussions from other group members with similar experiences. The second group collectively assigned values to the images, through keywords such as motherhood, family, home, etc... These were then grouped into themes and discussed collectively through an imaginary 'offender' as a mechanism for discussing their own shared experiences.

Secondly, reflection also occurred within each session through discussions about our lives, shared experiences, and on the data collected in more informal ways; such as conversations with the researcher or between participants during the creation of the maps.

Finally, each session was formally ended with a discussion about the activity that had occurred in the session and how that made us feel and using these reflections to plan for the next session. This was how the participants and researcher reflected on the process of doing the PAR cycle. This stage is essential to identify if the PAR cycle has met the aims and agreed on action

of the original PAR and is needed to decide if another cycle is necessary, wanted, or possible.

### *Share*

The final stage within the PAR process is the dissemination of research. This needs to include the participants and can be done by co-producing research materials; such as posters, infographics, and reports (for the gateway organisation, or to submit to decision-makers). When suitable, dissemination can include the participants through events or co-writing abstracts and presentations at conferences where some of the participant population attends.

This research has been shared in different ways depending on the section of the participant group and opportunities for dissemination. The first group of participants co-created posters for a networking lunch held by the gateway organisation. This event was held a month after the data collection was completed and included the data the participants had created in the form of photographs, maps and letters, along with quotes from the group sessions. In attendance were past and present employees, volunteers of the gateway organisation, the participant group (who are volunteers for the organisation), women whom the organisation support (who belong to the participant population of criminalised women), local councillors, the local Police and Crime Commissioner, probation officers, and representatives from national charities who work with ex-offenders. The participants fully organised and invited people of influence to this networking lunch where the women were supported to discuss the research themselves rather than being spoken for. It was agreed with the participant group in this case that the dissemination of research in this way would conclude the end of the PAR process. However, due to the nature of the research and the position the participant group held within the population as peer mentors, some participants opted to volunteer in future PAR cycles as support to future participants.

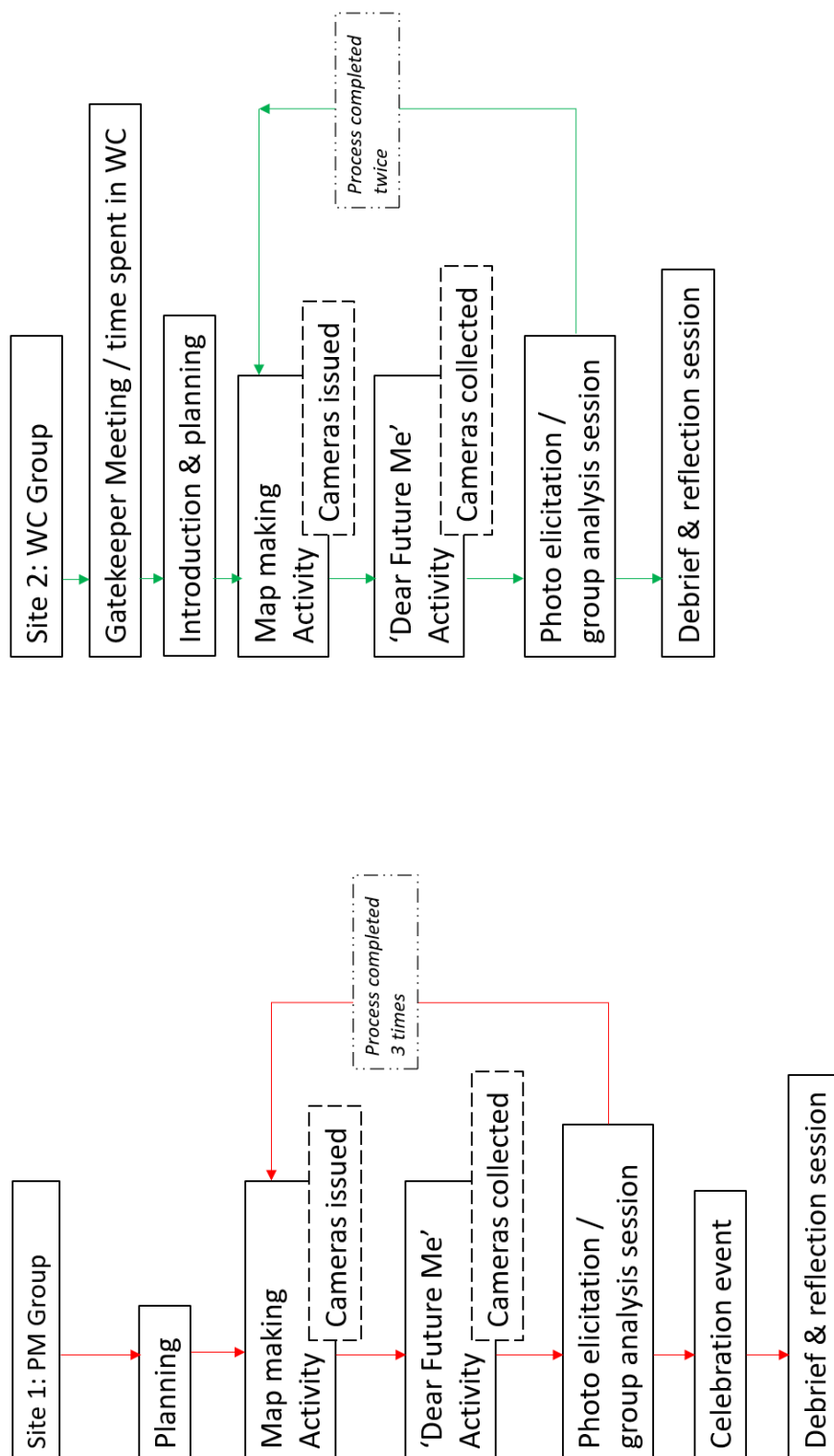


Figure 3 Flow processes at each research site

Figure 3 offers two flow process maps to assist in visualising how the research-based on the PAR spiral in figure 2 was put in to practice at the two separate research sites; site 1 the PM group and site 2 the WC group.

### *Researcher reflexivity in co-produced Feminist research*

This research used co-produced PAR to ensure that knowledge was produced from the bottom up. This is in recognition of how the production of knowledge constructs and reinforces power relations within society (Gergen, 1988). Flattening power hierarchies between researcher and participant, by elevating the voices, experiences, and priorities of criminalised women. In doing so, this research gave an elevated level of power to produce knowledge in ways that have previously been closed to the participants in this study. To do this, I needed to assess my position within this research and how that aided and/or hindered the research practically. I also reflected on my position in selecting the feminist and collaborative research approach, and how my experiences also shaped the analysis and development of theory.

The participants in this study were women with histories that included community punishment and/or supervision. This was an aspect of our biographies that I (the researcher) shared with the participants in this study. Although I did not use auto/ethnography specifically within this work, my biography shaped my experiences and focused my priorities and analysis. Therefore, it is useful to consider Anderson's (2006) five key principles of analytic auto-ethnography as I situated myself as a researcher/participant within this research, and my own experiences become an analytical tool.

1. I was a 'complete member researcher', the women in this study and I shared the label of offender/ex-offender and we have also experienced the same category of punishment and types of interventions. 2. Within this research I performed a continued 'analytical reflexivity'; as I drew on my own experiences to better understand the experience of the women in this study,

I also reflected on my own ongoing experience of life after punishment. 3. There is also visibility of myself, as a researcher and co-producer of research, within the text. 4. However, this is alongside, and often secondary, to the women who were also co-producers of the research. 5. Above all, this form of analysis contributes to an 'analytical agenda', where my emotions, biography and the emotions and experiences of the women in this study are considered together to contribute to understandings of female 'desistance' (Anderson, 2006).

My position within this research, as a white female researcher that holds a similar history of deviance, punishment, and low-socioeconomic status cannot be ignored and must be understood to offer high levels of objectivity. However, whilst I share the same biography as the co-collaborators in this study, it is important to reflect on the critical distance that I enjoy; both as having experienced punishment over ten years ago, and the level of social mobility I have experienced through education and employment. Since punishment, I have gone through both the further and higher education system, and I am now completing this study from the privileged position of a PhD candidate on a paid studentship. Whilst our origins may highlight many similarities, the life I have experienced after punishment will mean my perspective will inevitably be different from theirs.

Recognising the similarities and differences in our positions within society, and how our biography intersects, is important for researcher reflexivity and to bring objectivity and validity to the research. The choice of feminist standpoint and PAR as a research methodology is predominantly in recognition that there could be a danger of inflicting my values, experience, and assumptions on the women's narratives. Whilst this research recognises, and makes use of, our shared lived experiences when appropriate, the primary function of the research is to elevate the voices and experiences of the participants as co-collaborators. Therefore, my biography is acknowledged and reflected on, but not foregrounded within this research.

### *Selection of site and participants*

The participants in this study were selected for inclusion using a non-random, purposive sample. In purposive sampling, there is no set number for participant involvement or reliance on certain theoretical assumptions; individuals are identified as key informants that can reflect on their experience of members of the community of interest who are both able and willing to share their knowledge (Dolores and Tongco, 2007). Therefore, all participants were contacted through agencies that specifically engage with criminalised women; with the first contact a voluntary sector organisation (PM group) only working with criminalised women, and the second contact was a women's centre (WC group) that held a contract for community punishment. This sampling frame ensured that the women involved were currently, or had recently been, subject to punishment within a community setting.

Initial access to the first organisation (PM group) that provides a peer mentoring service to criminalised women, was gained through a gatekeeper voluntary agency that works with criminalised women; offering education, training, and employment opportunities via a peer-mentoring programme. Contact was established through existing relationships between the researcher and the voluntary agency. Whilst there had not been recent professional involvement between researcher and the agency, contacts had remained strong enough to be given some time to speak to the volunteers that made up the heart of the peer mentoring service. The initial meeting was booked to occur within a quarterly meeting for all volunteers and staff (see fig 3). I was allocated time to speak with the women involved, explain the research and tentatively seek recruitment. In the PAR cycle, this would be classed as the planning stage (see fig.2).

During this meeting, I gave a brief introduction about myself and the research project, before discussing the motivations for the research. We discussed the recent changes to probation services under TR. I explained that I wanted to achieve a co-produced piece of research that examines how

punishment, with a focus on offender supervision, was felt within their day-to-day lives. The tone of the discussion was that of a conversation, rather than a presentation. We discussed what co-production means; for them and in research. I asked them about future involvement; specifically, what they may want this to be, and what role they may play in it. We then discussed their initial impressions of what I was asking, before talking about the types of methods we could use to try to capture that experience.

The women asked me questions about myself, my motivations for the research, and my history. This was a qualifying exercise that was also repeated at my second research site. The questions asked were not entirely anticipated, as they questioned my past experiences rather than my current position and used the similarities (and differences) between myself and them to perform a judgement about me, my motivations, the research, and if I should be trusted.

Whilst both groups of women did this exercise, the participants in the PM group shared more common recent experiences and therefore did not ask as many questions about my past. In the second site, the WC group, the women delved more deeply into who I was, where I had come from, and our similarities and differences. The result of this process was access and research consent.

This process underlined the co-produced nature of the research process. As co-researchers, they could ask me to reveal aspects of my life to them, as I was asking them to reveal aspects to me. This process created mutual respect and knowledge about each other. The qualifying process not only established reciprocity but uncovered shared reference points for use later in the research process to aid in understanding.

After this exercise, the women told me some of their stories briefly and we came to a consensus about the best way to approach the research in practice. I provided a suggested information leaflet and time scales. They suggested different wording and revised timescales. They also examined and



tried out the physical tool kit that I was suggesting may be appropriate; including the use of cameras, worksheets etc... They approved the consent form for clarity, and I left the session with a plan of how to move forward with the methods of collection. This session began the process of co-production of the research process.

The second research site was accessed on completion of all cycles of research at the first site. Access was gained through a snowball sample, as the CEO of the first site, PM group, gave me the contact details of the second site and 'vouched' for me as a legitimate researcher. This was a necessary introduction, as access to the WC group research site is fiercely guarded by the gatekeepers.

The second site is a women's centre (WC group) in a similar geographical location to the first project (in the North West of England). The women who access this centre are either criminalised women subject to community supervision, drug testing and treatment orders, unpaid hours/community service, or a combination of these punishments. The centre also has a self-referral aspect, which means that women are attending the centre who are not actively under any form of criminal justice intervention, but they have characteristics that lead them to be labelled as at-risk of offending.

Criminalised women hold a certain fascination with student researchers, particularly at undergraduate level. Therefore, the women's centre gets more research requests than it can facilitate. The organisation of research for the centre - including risk assessments, Data and Barring Service (DBS) checks and managing relationships - provides additional unpaid work for the centre staff. Therefore, another trusted provider 'vouching' for the legitimacy and necessity of the research ensured I was offered an opportunity to pitch my research.

The frequency of research at this, and other spaces that include criminalised individuals, can mean that those who are subject to punishment here become studied, categorised, and looked at as oddities, even when

unintentional. This will affect the women's behaviour towards researchers and then research itself. PAR becomes an important tool here to overcome the power relations that inviting researchers or at least allowing access to such spaces can produce, by inviting the participants to become active agents in the research process, rather than merely vessels of knowledge.

Access to the research site relied on the premise that I would not discriminate between criminalised women and those that were considered 'at-risk'. Therefore, the research was open to all. However, on recruiting participants, only one 'at-risk' woman chose to participate. I spoke to other 'at risk' of offending women about the research during the time spent at the centre, but the feedback I received was that this "was not for them" because "I've not done anything wrong".

Despite the centre producing a service that includes both criminalised women and non-offending women, where possible, the 'at-risk' women separated themselves from those who were subject to punishment. This could have been due to how the research was perceived; as I was only researching a crime and punishment problem. However, the time spent at the centre during the research provided other examples of this separation that were unrelated to the research.

At the second site, the initial contact was with the manager as the gatekeeper. After this meeting, I attended the centre on several occasions to spend time with the volunteers and women who attend. Here I observed the activities that centre users took part in, both formally and informally, and discussed the work informally with many of the women who attend the centre. This would be classed as the observation stage of the second PAR cycle (see Fig. 2/3). Volunteers, criminalised women, and the criminal justice manager formed the participants for the planning stage of this cycle of the PAR. Little change was made to the methods at this stage. Discussions focused on issues surrounding the women's ability to give consent freely, as the women were being allowed to take part during court-mandated unpaid hours of community punishment.

I struggled with the notion of this research becoming part of court-mandated punishment. Therefore, I sought the advice and approval of the women who would be taking part if the research ran during 'punishment' hours. To ensure that there was a clear definition between punishment and research, additional arrangements were made to ensure that women could still withdraw consent.

Whilst I would have preferred the women to be able to volunteer their free time, this would have placed further constraints on their lives which would have been more detrimental than using the time allocated for punishment. The alternative option was to not include these women within the study. However, excluding them on this basis would further marginalise their experiences and opinions. After these discussions, I decided to go ahead with the second cycle during this time and accepted women who would have otherwise been subject to punishment.

### *The research process in detail*

Across the two research sites, 32 individuals became involved in the research process, 28 of whom were criminalised women. Table 2 demonstrates participant involvement, showing how many women were involved, and the stages of research that they were involved in. As the table shows, not all participants were involved at all stages of each PAR cycle. However, there was involvement by the participant group at every stage of the research process.

Involving the participants at every stage is a key aspect of PAR. Yet this does not mean that all participants need to be included at all stages of the research; the key is that the participant group directs the research. Therefore, individuals were given the opportunity to take part in the aspects of research that they could. Being a part of the research at all stages for one individual would have been a big undertaking, which would have required time commitment and resources that would have been impossible for the women within this study to provide. The flexible nature of PAR allows for

this, as the entire premise of PAR is to include participants that are unheard or excluded from traditional social sciences research; requiring strict participation in all stages of the research by each individual would have been exclusionary and unworkable in this research context.

### *Participants*

Discussion and consideration of intersections of gender, race, class, and ethnicity will occur throughout this research, within a critical dialogue that questions power and justice (Frost and Elichaooff, 2014). Therefore, it is important to note here that all participants within the study were white women with a working-class background. None of the women described themselves as disabled, yet physical and mental health issues (both short and long-term) were reported during the research. All those that discussed sexuality and relationships referred to heterosexual partnerships.

Focusing on experiences of criminalisation, punishment, and life beyond the CJS, this research shows that not only are such experiences gendered but that the experiences are largely dictated by women's own intersectional position in society. Therefore, it cannot be assumed that all women experience criminalisation and punishment in a homogenous way, nor that all women can resist further criminalisation. Certainly, whilst this research attempted to understand the experiences of a diverse group of women experiencing community punishment or probation supervision there were noticeable absences in the cohort of women who took part. All of the women in the study were white, with no women of any other ethnicity or race at all attached to either research site. Searching for an answer to this lack of diversity, whilst also knowing that Black women are 25 per cent more likely to go to prison than white women for some offences (Clarke and Chadwick, 2017), meant acknowledging that the women in this study were afforded the relative privilege of a community rather than a custodial sentence because of the way women in some communities are excessively criminalised (Clarke and Chadwick, 2017). It is important to acknowledge this as not a methodological sampling issue, but an absence of Black women

being 1) sentenced to community sentences and/or probation supervision in this geographical area during the year 2016, and 2) identified as peer mentors after completing a community sentence and/or probation supervision and/or period of imprisonment in the years leading up to 2016 within the geographical area that this research is situated. This is a two-fold issue; as Black women were not present within unpaid work and probation supervision cohorts, their presence in the women's centre would be only for post-custodial supervision. In turn, these women would have a greater distance to travel between sentencing and the perception of desistance. As such, there were no Black women as peer mentors or 'success' stories.

This seeming lack of diversity within the women in the study is due to the availability of participants within the two gatekeeper organisations. Both organisations showed diversity in their staffing; with women of a different race, ethnicity, and ability, at practitioner and volunteer level. However, all managers and directors were white, able-bodied, and middle class. The women in this study are representative of the women who attended the centre, as the diversity found within the staff was not representative of the service users themselves.

When we consider this lack of service user diversity and consider that women of colour are 25% more likely to receive a custodial sentence (Clarke and Chadwick, 2017), we can speculate critically that the whiteness of the participant group is reflective of whom is most likely to receive community service orders and probation supervision. Therefore, whilst this research will not claim to offer the experiences of all women subject to community supervision, the perceived lack of diversity found within the peer mentoring service and women's centre is representative of who those projects were serving at that time, in this specific location.

Stage	Activity	PM Group	WC Group	Total (32 women engaged)
Initial consultation	Meeting/ workshop	13 women	8 women	22 women
Data collection	Mapmaking	12 women	13 women	25 maps
	Letter writing	10 women	8 women	18 women
	Photovoice	6 returned cameras	6 returned cameras	22 cameras handed out, 12 returned
Analysis	Photo- elicitation	8 women	10 women	18 women
Dissemination	Celebration event	17 women	0 women	17 women

Table 2 Participant involvement

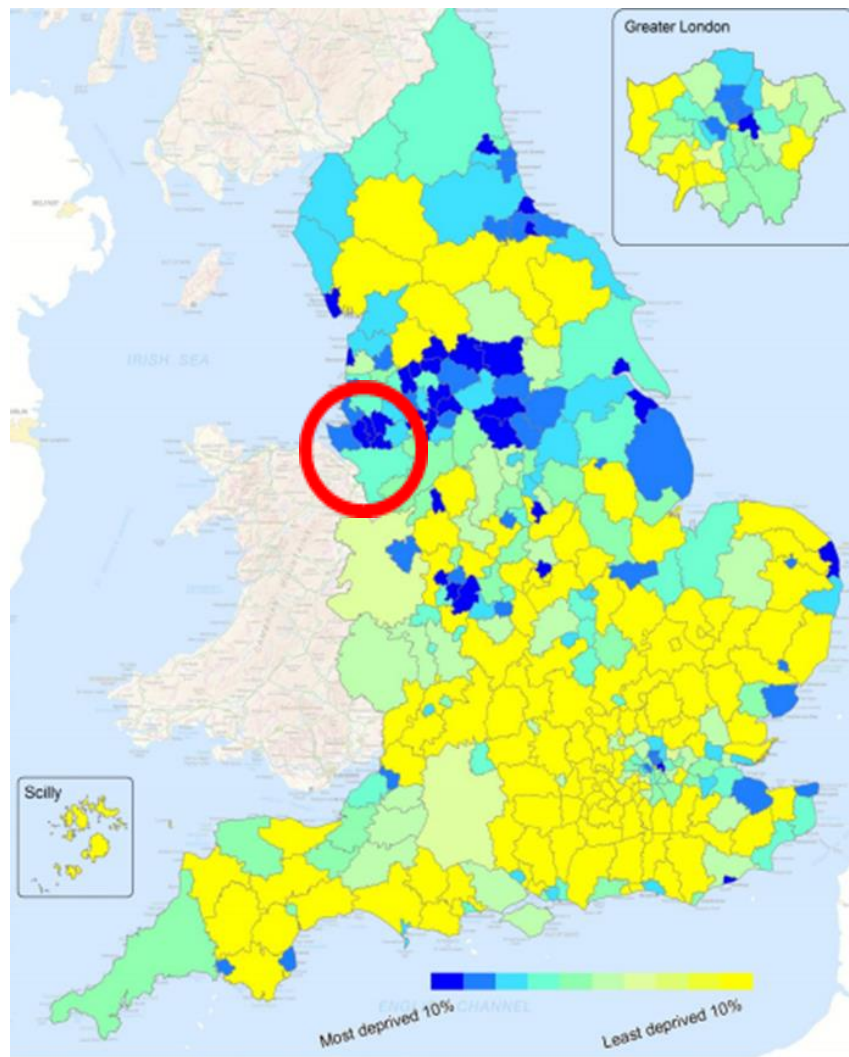


Figure 4 Index of multiple deprivation 2015

### *Research sites*

As this research is not only interested in the everyday experiences of women subject to punishment, but the spaces within which this occurs, it is important to note the spaces within which the research took place. Geographically both PM and WC research sites are situated in the North West of England. The services are not located in the same city, town or village. The location is only identified as the North West of England only to protect the anonymity of the participants and gatekeeper organisations. Due to the small number of such centres, a more specific location would render these organisations identifiable. However, the socio-demographic make-up of the local areas are similar, with both areas featuring in the top 10% of areas facing multiple deprivation (see fig.4, the red circle indicates the research area)(Baljit, 2015).

Both sites are located in central urban locations that the women in this study had to travel to. The fact that the women had to travel to these sites is important. These sites became new places of exception in their lives, places that would not feature in their daily routines before punishment. Therefore, the spaces within which the research was held were not merely buildings, but spaces of punishment, rehabilitation, and desistance.

#### *Site 1: Peer Mentoring Project (PM group)*

Situated in the centre of a busy medium-sized town centre, this site was accessed through a multi-occupation reception that housed various organisations with a social purpose (such as the volunteering bureau and citizen's advice service). Despite the town centre location, the doorway is not obvious without directions. The location is relatively new for this organisation who previously resided in a semi-permanent structure on the outskirts of the town centre.

Visitors and staff sign a book on the ground floor reception and the third-floor offices are accessed via stairs or a lift. The monitored access and nature of the project as a service for ex-offenders means that those visiting the



centre are identifiable as having criminal histories. However, this is subtly managed. The town centre location means the site is accessible on foot and by public transport. The participants in the study travelled to this location every month; with some attending more frequently, for meetings, training, and events. The research took part in the office's training rooms, with the table pushed together to form one big desk. Each participant took a seat at the table. With no obvious head to the table, all seating positions were equal.

### *Site 2: Women's Centre (WC group)*

A women's centre provided the second research site. Centrally located, a few minutes' walk from the train and bus stations, the centre is on the border of an urban housing estate and a busy town centre. The centre is situated in one half of an ex-school. As such, the external façade of the centre has all the features of a school, with high railings, a playground used as a car park, and a buzzer facility to gain entrance. The buzzer entrance is to ensure secure access to the site, as this centre does not allow men or children within the building or grounds.

Within the building, there is a sign-in desk where, depending on the purpose of visit, individuals are greeted by a member of staff or shown through to the community room. The centre boasts multiple rooms and facilities; such as a hall, clinic room, counselling room, holistic therapy room, kitchen, community room, laundry, computer room, crafts room, and other storage or flexible space.

Very little has been done inside to remove the institutional feel of the building, with the layout remaining the same and features such as pinboards and cloakrooms remaining from the previous use as a school. The centre managers have painted the rooms in colours such as purple and pink, with thick carpets and window dressings added to try to create a warmer and less institutional feel. The research took place in one of the flexible rooms that used to be the school dining hall. However, more recently the room would

be used for domestic violence courses, therapy groups, and similarly structured meetings.

Whilst these detailed physical descriptions of the research sites may seem unnecessary, the sites themselves provided the opportunity for research, whilst also shaping some of the women's responses. Despite being a rehabilitative voluntary sector agency, the institutional aesthetic of site two can be viewed as reminiscent of other institutions which have shaped women's experiences of interventions. This was just one of several factors that ultimately shaped who attended the centre, and therefore who participated in this research. It is the research sessions run at the WC that included the female practitioner, Nat.

### *Research activities*

The activities proposed to the participants of the study were opportunities for creative data production. This is predominantly due to the transformative nature of creative activities, and the diversity of methods for data collection that can be offered. By using methods that do not rely on verbal or written communication alongside more traditional textual-based methods, participants were able to select the method/s that matched their abilities and preferred style of learning. The table below details the specific activities offered. While each group took part in all the activities, not every participant did. It was left to each person to choose their level of participation.

### *Instrumentation and Field Procedures*

This research included arts-based and creative elements that required specific instrumentation. This toolkit was developed to ensure that the participants had comprehensive resources to complete the study, within the constraints of the research budget. The tool-kit (pictured in Fig.5) contained the research information booklet, a where? worksheet, a 'Dear future me..' worksheet, two copies of the consent form, a notebook, pen, disposable camera, identification cards, and a plastic wallet to contain all of the

Creative writing	<p>'Dear Future Me..'</p> <p>Where?</p>	<p>Worksheets that asked the participants to imagine their future selves.</p> <p>Worksheets that asked questions related to place. This was a warm-up exercise for the participants to refer to during later activities (map making).</p>
Drawing	Narrative and/or Spatial mapping	Participants were asked to map out their lives. Some chose to do this across time; some from birth to present, others from the events leading up to punishment and into the future. These maps act as spatially grounded narrative maps.
Photography	Photovoice	The participants were given a disposable camera and identification pack (see instrumentation and field procedures). They were asked to take photographs of their lives, the remit of what this may include was left open. However, as we had completed spatially related maps, a heavy focus was placed on the spaces within which they live their lives.
Group Coding & Analysis	Creative-elicitation/ Photo-elicitation	Participants were invited to use the creative products they produced (Maps, letters, and photographs) as starting points for conversation. Participants chose to present the maps to the group individually. Whereas the photographs were organised into themes by the group and then discussed in a group conversation.

Table 3 Research activities

above. These packs were given to the women on the start of the data collection phase of the research. The wording of the information sheet and consent form had been approved at an earlier consultation meeting to ensure clarity and participation in the planning stage of the research; this offered a reflexive approach to ethical concerns and the participants' ability to consent.

In addition to the toolkit given to each participant, flip chart paper and sharpie pens were provided for the mapping exercise, and colourful card, post-it notes, and notecards were provided for use during the analysis stages of the research.

### *Tools for participant safety*

As the researcher, I justified ethical decisions to protect their identity with participants regularly to create an ethical dialogue, whereby we would discuss the reason for ethics and what they felt comfortable with as well as my responsibilities to ethical research practices. This dialogue was to ensure a more democratic approach to ethical research rather than a paternalistic approach to participant welfare. As such, certain tools and procedures were implemented to create a safe research environment and context beyond the walls of the research environment. Once the disposable cameras were given out to participants, a photograph was taken of the pack number. This easily identified who the pack and camera belonged to without disclosing participant details to anyone other than the researcher. As the photographs were processed at a commercial developer, it was key that the participants did not take identifying photographs. Issues of confidentiality and anonymity were discussed openly and frequently throughout the research process.

Within the toolkit, I included identification cards (see fig. 6). These cards identified me as the principal researcher. They included my contact details and university affiliation. These cards were provided for the women to hand out if challenged about their activities whilst taking pictures in public spaces.



Figure 5 Research tool kit

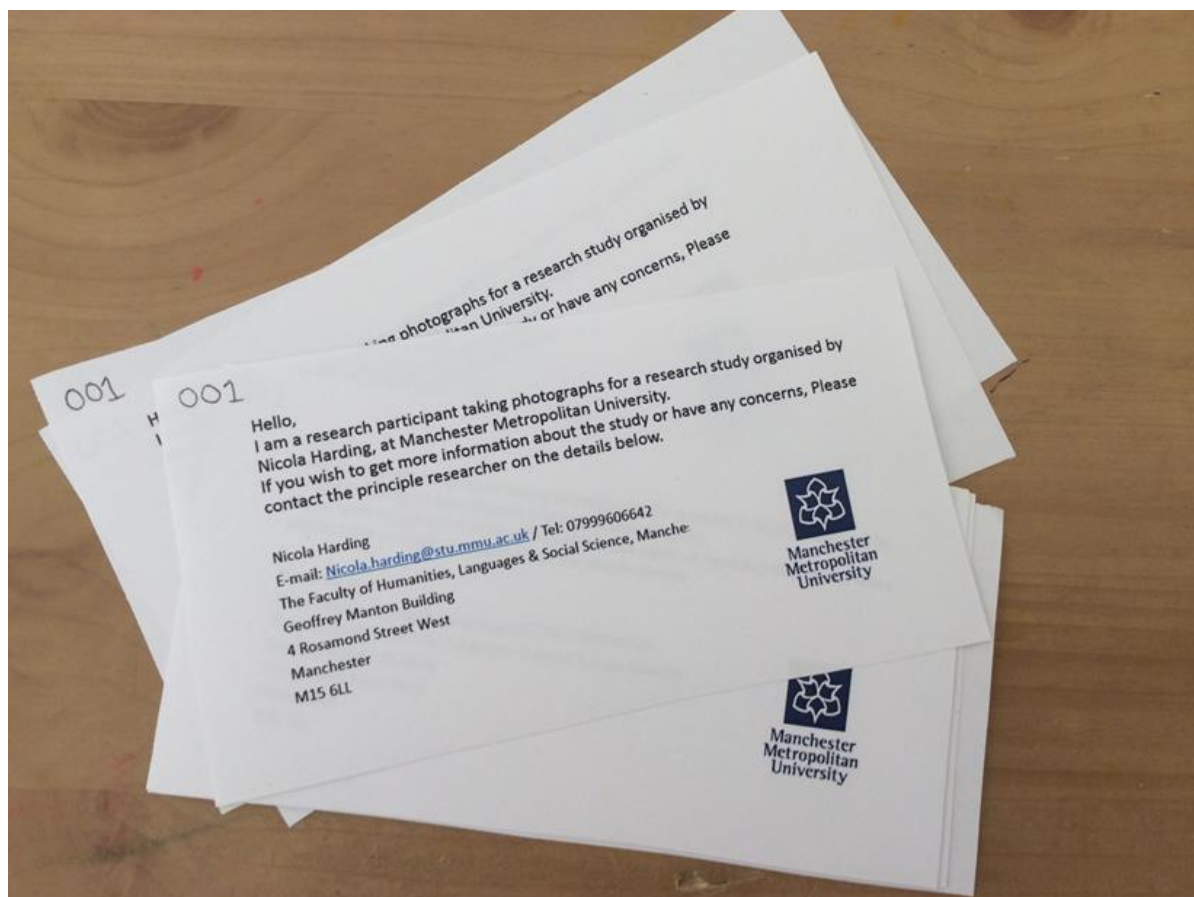


Figure 6 Information cards

The cards did not include details of the study, but a way for individuals to ask for more information once away from the participant. Each card was numbered, which corresponded to the number of the camera they were given. This was so if a member of the public had a concern that they had been photographed against their wishes, I would then examine the pictures from the corresponding camera and remove any pictures of that person from the data set. In this way, I would be able to protect the rights of the objecting member of the public, whilst ensuring that the participants' details and details of their offending status remained confidential.

### *Establishing credibility and understanding limitations*

As previously discussed (see section 3.6.2), validity in PAR is achieved in five ways; outcome validity, democratic validity, process validity, catalytic validity, and dialogical validity (see Table 4) (Ozanne and Saatcioglu, 2008). Whilst each offers a differing form of validity, it is how these five forms work together within the research that offers robust forms of credibility to the outcomes and research process itself. PAR should produce a benefit to human life through the process of action and include diverse groups - often underrepresented in research - in meaningful participation (see section 3.3). It should develop the capabilities of the participants to critically reflect and learn from their own lives, and this should produce critical reflection within and beyond the research study. Ultimately the processes and limitations of the research need to be interrogated fully through critical reflection.

Feminist research methods and PAR have largely been developed concerning the limitations of positivist and androcentric methods of research inquiry. Whilst this research identifies PAR from a feminist standpoint perspective as 'better' at capturing the experiences of marginalised women, this is not without limitations. As already discussed, the research site posed issues of co-collaborator diversity.

Outcome Validity	The research produces a wealth of knowledge about women's lives that are used in this research to develop theory and recommendations for practice that has the common goals of promoting social good.
Democratic Validity	Each of the two groups that took part in the research contained a variety of women including practitioners. Predominantly, the women in the study all shared the common experience of criminalisation. The limitations of this are discussed above (section 9).
Process Validity	The participants reported positive feelings about the research process; claiming that it felt like therapy and that by doing the research they learned to look at their own lives and problems in new ways.
Catalytic Validity	Firstly, creative methods are used within this study to breakdown hierarchies of knowledge, this prompted a social change within the research whereby participants became co-collaborators. Secondly, the knowledge produced within this research has impacted practice beyond the initial research site through regional and national dissemination.
Dialogical Validity	The research has been interrogated using critical reflection, to understand the limitations of the study and my position within the research. The case study style, with a feminist perspective, means that the research is not 'value-free' and overall representativeness can be questioned. The limitations of the study and what this may mean for results are fully discussed above (section 9), whilst also remaining an analytical tool throughout the process.

Table 4 PAR & validity adapted from Ozanne & Saatcioglu (2008)



Additionally, the lack of specific resources led to limitations in the use of technology, practical assistance, and time. Lack of additional funding for materials meant that materials such as the cameras were acquired from the researchers own limited funds. However, the most salient limitation of this research, and wider use of PAR studies in general, is the inability to fulfil co-collaborators needs as they change during and after the research process. Research is simply not responsive enough to participants needs and does not hold enough power to immediately respond to or support the very changes that PAR helps to initiate. For example, within this research one participant realised that she may need to leave a negative romantic partner. I had to rely on the support from the gatekeeper organisation to support her because I did not have the resource to support the personal transformations that the PAR process helped to initiate. Reflecting on these limitations, rather than making uncritical claims of transformation through PAR, increases the objectivity and validity of this study, but can also add critically to the debate of the role PAR plays in research with marginalised groups.

### *Resources*

The study was limited in resources in three distinct ways; technology, practical assistance, and time. The photovoice portion of the study was limited by using disposable cameras. The choice to use disposable cameras was made due to the cost of purchasing digital cameras, and assumptions regarding the accessibility and ethics of asking participants to use a phone camera. However, not all pictures developed properly and/or the quality of photographs was poor, which meant some pictures could not be used in the study.

Women also felt paranoid using the disposable camera in public spaces, as the use of a disposable camera stood out in ways that a mobile phone camera would not. One participant decided to take the photographs on her phone, then get them printed herself; for which I reimbursed her. With only 50% of the cameras that were given out returned, the use of lower-cost

disposable cameras with free developing rather than more expensive digital cameras appeared to be justified.

Practical assistance for the women in the study was also limited. As this research was funded through a PhD studentship, there was no budget for practical assistance such as childcare during the research sessions. However, travel expenses were offered; this was reimbursed by the researcher at the first site, and the women at the second site were given travel cards by the community justice practitioner.

Time was also another resource that was restricted. At the first site, the research needed to fit around the opening hours of the office, and the work, volunteering commitments, and caring responsibilities of the women. Therefore, time was scarce. At the second site, the same limitations on time were then further exacerbated by the requirement for the research to be completed within community service hours. The priority of criminal justice practitioners was to ensure that taking part in the research did not appear to replace punishment. This involved negotiating the minimum hours that the research could be completed in, whilst still ensuring meaningful participation and outcomes. Time became a constraint that reinforced the multiple oppressions felt by criminalised women.

### *Fulfilling co-collaborators needs*

This study invited participants to critically reflect on their experiences of punishment, and how this intersected with their everyday lives. In doing so, the co-collaborators formed deeper understandings of their standing in society and a clearer view of the systems and practical ways in which their lives were constrained. In very real ways, this deeper critical thought posed practical considerations and revealed participants' needs that may not have been apparent to themselves and the researcher before the research cycle. These needs - physical, psychological, and /or social - could not always be anticipated.

The identification of needs within the study refers to instances that caused participants to recognise problems within their individual circumstances that required resources to solve. For example, one participant commented at the end of the session “I need to leave him, don’t I?”. This comment occurred after the mapping session, where she reflected heavily on the role of offending and relationships. This realisation led to the identification of practical, psychological and social needs that were not being met in her current relationship, but also were constraining her ability to leave.

The action produced within this study failed to provide practical assistance for some of the individual needs identified by the co-collaborators. This highlights a critical limitation of PAR, for while the action associated with the research may create greater critical awareness, the inequality that is inherent in the structures that surround the participants’ lives do not offer opportunities for newly expanded agency.

The limitations of PAR with criminalised women can pose moral and ethical dilemmas. Elevating the role of the participant, increasing their stake and power within the research, can offer a more democratic form of knowledge production. However, without critical reflection and honest dialogue about the limited powers that researchers have to promote political and/or institutional change, there is a danger that PAR could reinforce, or replicate the marginalisation felt by criminalised women.

### *Ethical considerations*

This research presented both procedural and practical ethical challenges that needed to be negotiated. Procedural ethics refers to the way the research was designed following the formal guidelines set out for ethical research (Guillemin and Gillam, 2004), whereas practical ethics are the ethical decisions that needed to be made throughout the study relating to the specific contexts of this study. Procedurally, this research is ethically informed by the British Sociological Association (BSA) statement of ethics (BSA, 2017). This included seeking ethical approval from the University’s

ethics committee, ensuring informed consent was obtained, and forming a confidentiality agreement with the transcriber.

### *Informed consent*

Informed consent is a fundamental aspect of ethical research. It is important that participants understand the research and what they are consenting to take part in. Consent should always be freely given after the researcher has provided clear and adequate information. Any cost/s and/or benefit/s to the participant, as well as the fact that participation is voluntary and can be withdrawn at any time, should be made clear from the outset (Matthews and Ross, 2010).

The WC group participants were released from unpaid work to take part in this research. Recognising that the choice between working outside doing hard physical labour or sitting in a comfortable room may influence the women's ability to give consent, and withdrawal of consent was carefully managed. This was done continually, rather than simply relying on the signed consent form completed before the research began.

At the start of the process, and various key points throughout the process (generally before each session), consent was sought and re-sought. Women who were unsure about the process were encouraged to seek counsel from others. I offered clarification of any concerns and I planned for those that did not want to take part to be able to remove themselves from the research, whilst still sharing the benefits (staying inside, snacks at tea break etc.) of those that did choose to take part. Two specific incidences are worthy of note here. Both highlight the challenges of procedural notions of ethics, and the need for situated ethics.

One WC group participant declined to give consent, initially not stating a reason why. However, when joining in with the tea break, she said she did not feel mentally capable of taking part due to her current mental health. I arranged with the criminal justice manager for her to be supervised (a requirement by the court) within the centre, but away from the research. It

was agreed that she could sit and read; she was happy with this. Therefore, she still benefited from the time away from the punishment activities without having to take part in the research.

Another WC group participant gave consent, yet during sessions, she would sometimes place her head on the desk, shut her eyes and not take part. During these periods, I re-sought her consent to take part in this research. She re-confirmed her consent but remained withdrawn from the process for these specific periods; becoming an active and enthusiastic participant at later points.

### *Confidentiality*

Confidentiality was assured within the process of gaining informed consent. However, it was also explained that any disclosure of harm towards themselves or anybody else would require confidentiality to be broken (Matthews and Ross, 2010). However, the wider issue within this research was the group setting and obtaining group consensus about confidentiality. As both groups of participants were already pre-existing groups, bringing the participants together did not compromise their identity, nor disclose their criminalised status to those who did not already know it. It did, however, pose a risk that other participants may disclose information they heard discussed during the group sessions during the research to others who were not part of the research. This was overcome by the co-production of group guidelines that were built on mutual respect for other's experiences and the right to confidentiality (Matthews and Ross, 2010).

Using photovoice as a research method also poses issues of confidentiality as working with visual material poses its own ethical challenges. As Andrew Clark (2013) identifies, the use of visual data, particularly when created in a participatory way, produces both 'ethical moments' (Guillemin & Gillam, 2004) and 'ethical anxieties' (Usher, 2000). In this way visual research is particularly unique, requiring well thought out ethical protocols that flex and react to the individual contexts that the researcher operates within.

As previously discussed, (see section 3.4.1), the use of visual data in criminological research is a product of the development of innovative new methodologies and increased creativity in established methodologies. As the use of visual methodology in criminological research is so new, the existing and established ethical principles have been debated as no longer providing suitable ethical guidance within the context of visual research (Clark, 2013). Response to such debates has produced a body of multi-disciplinary literature attempting to 'navigate the ethical terrain of visual research, usually with reference to particular cases and contexts' (Clark, 2013, p. 69).

Within this research, photovoice was used as a form of data collection led by participants. An open dialogue about who should, and should not, be included in the photographs was maintained throughout. It was agreed that participants would endeavour to take photographs that did not identify themselves or others. This was to ensure their confidentiality and the privacy of others. Tools such as the information cards (see figure 6) were given to participants to give out when questioned about their activities. This was to ensure that they were not put in a position where they would have to disclose the purpose of the study, thereby outing themselves as criminalised.

The women in this study agreed that where they have been recorded, quotes could be used under a pseudonym. As such confidentiality is retained during the process of producing this thesis and distributing the results of this research in research papers, presentations and other forms of dissemination.

### *Analysis*

As discussed in section 4.1, this research directly involved criminalised women in the planning, action, collection of data, reflections of the data, and sharing the research findings. As such, analysis was embedded in the process of data collection that was co-produced with criminalised women, this can be viewed specifically under the activity of 'reflect' (see 4.1.6). This

first stage of analysis saw the women group the data, in particular the photographic data, into themed categories as a group based on their understandings of the visual representations in the photographs. This was later extended to include the maps and dear future me letters. This first stage of analysis gave themes that were developed into the sub-themes of motherhood, homemaking, physical transformation, trauma and relationships. The second stage of analysis was performed by the researcher, based on the themes found by the women during their reflections and analytical grouping. The PM group went on to share the sub-findings as early findings of this study to practitioners in the criminal justice field. To do this I assisted in creating three posters that displayed the research data. During this process, I presented my further analysis of these themes and took their feedback on my observations. I presented the idea of managing trauma, through humour and imagined futures, and demonstrating desistance through motherhood, homemaking, and transformation of the physical body. They offered their opinions, confirming or contradicting my initial assertions. As such the women in this research, where possible, influenced both the early analysis of their data and the later analysis I completed based on the themes they identified.

### *Conclusion*

The underlying principles of this research approach are both feminist and collaborative, with a deep commitment to examining the experiences of criminalised women subject to community punishment. This means finding ways to collect 'the view from below' (Scruton, 2016) in a more democratic form of knowledge production that views participants as co-creators of knowledge. This chapter demonstrates the processes and actions that were completed to collect the research data for this study within the methodological framework of feminist PAR. Situating the practicalities of the research itself within the PAR model, detailing the research process provides an opportunity to join the dots between methodological theory and the practical application of feminist PAR. By reflecting on the research process,

and my position within the research as an ex-offender, this chapter demonstrates strong objectivity practiced within this research to promote the validity of this research.

This chapter detailed the research activities within the framework of the PAR cycle. However, a significant focus of the research is the situational contexts of women's lives, including the spaces within which their everyday lives play out. Therefore, it is not simply enough to reflect on how the research was done, but where. As such, this chapter contextualised the research sites and the people that are found within them; including whose narratives were able to be shared in these spaces and whose are absent. This research was conducted across two voluntary/third sector sites – a women's centre and a peer mentoring project – that worked within the criminal justice sector to offer gender-specific provision. These sites were situated in the Northwest of England, in a diverse but low socioeconomic area.

Critically, there was a distinct lack of diversity within the two research sites. Most notably each research site had a surprising lack of Black women. Surprising, because the statistics that relate to the criminalisation of women show that Black women are disproportionately criminalised (see section 1.1). Whilst this is indeed a limitation of the research, as the 'view from below' observed here is a distinctly white one, it speaks far more about the racial injustice felt within the criminal justice system rather than a sampling error within this research. It is unlikely that Black women have not faced criminalisation in the communities within which this research took place, it is just more likely that the absence is due to receiving a prison sentence rather than a community sentence, which is the focus of this research.

Identifying limitations, such as lack of diversity, of this research, offers a critique of PAR that includes a critical assessment of the role of power within the research process. Even research that aims to promote a more democratic form of knowledge production can sometimes serve to marginalise communities further. This is because the results of a PAR project can be then used to inform policy or community transformations that are



assumed to be approved by the community at the focus of the research. But as we can see here, generalising this project as representing all criminalised women's experiences when there are no Black women represented in this project would serve to marginalise Black criminalised women further. As such, the experiences collected within the creative sessions were used as a starting point to theorise how criminalised women navigate community punishment rather than presented as a generalisable snapshot of all criminalised women's experiences.

Measures were put in place to ensure the safety of the participants, both physically and ethically. Informed consent and confidentiality are continually sought and reassessed throughout the research to form a practice of situated ethics that seeks to protect the participant and researcher through empowerment rather than through paternalistic determination. But also, tools such as anonymised information cards were given to the women in this study in case they were approached whilst taking photographs for the photovoice aspect of this research. This was important as it offered an opportunity to explain the research and offer contact details for more information without the women having to disclose any personal information or their status as a criminalised woman – potentially placing them at risk of stigmatisation, symbolic or actual abuse.

This research design was created with the needs of criminalised women as a key concern, prioritising their experience as much as the aims of this research. By constructing the research in collaboration with criminalised women the research responded to the lived realities of women subject to punishment and created space for the data to be collected and analysed, but also a space for connection, solidarity, relationship building and the observation of social interactions between criminalised women and those who support them and those that punish them. From this space, themes were developed during initial analysis with the women in this study, which were then grouped into three broad themes by the researcher; experiencing and managing trauma, demonstrating desistance, and women on the 'right'

side of justice. The following chapter will use the data produced during the collaborative sessions to discuss the first overall observation found within this research; how criminalised women must manage trauma within the penal setting.

## **Chapter 5: Experiencing and managing trauma**

This is the first of three chapters that explore and analyse the data produced within the context of the co-produced research space created by this study. This chapter considers the social manifestation of trauma within the visual research data, the oral testimony offered, and observations of the social interactions that took place within the research environment. It examines the presence of trauma within the individual and collective narratives offered by the women within this study, both before, during, and beyond criminalisation. It also examines how social responses to trauma are enacted by the women within the research space itself.

The relationship between the CJS, labelling, and the production of trauma is also explored, before an examination of how traumatic relationships can negatively influence law-breaking. The experience of the infliction of trauma by the state through the criminal justice process and the link between law-breaking and traumatic personal relationships demonstrate that experiences of punishment extend far beyond the label of 'female offender' into the material realities of women's everyday lives. As such these experiences should be considered as the experiences of criminalisation; the very distinct ways in which the power of the state intersects with the lives of some of the most marginalised in society.

Additionally, the management of trauma is addressed, with the use of humour and imagination identified as two distinct ways in which the women managed trauma. It is suggested that 'bearing witness' to victim testimony can assist the individual in overcoming traumatic events (Herman, 1992). This concept has been mobilised by scholars engaging with probation practitioners (Anderson, 2016). However, this chapter diverges from the notion of a practitioner as a witness and considers how co-produced and reciprocal trauma recovery can be exercised by women subject to punishment together, as a form of peer recovery from traumatic events, including criminalisation itself.

### *Trauma, punishment and everyday life*

‘Psychological trauma is an affliction of the powerless. At the moment of trauma, the victim is rendered helpless by overwhelming force. When the force is that of nature, we speak of disasters. When the force is that of other human beings, we speak of atrocities’ (Herman, 1992, p. 33).

When the force is that of punishment, we speak of justice.

Whether receiving a prison or a community sentence, the process of arrest, attending court, and being sentenced to punishment is traumatic. This is because ‘traumatic events overwhelm the ordinary systems of care that give people a sense of control, connection, and meaning’ (Herman, 1992, p. 33). The process of criminalisation – arrest, investigation, court appearance, labelling, sentencing, and punishment - dislocates individuals from wider society, removing any control they may have had in determining their own short and long-term futures, and strips an individual of their humanity. As such, the process of criminalising an individual should be understood as a trauma-producing process. Particularly when considering the trauma that criminalised women have often already experienced across the life course.

Brison (1999, p. 40) offers further explanation of how trauma is produced: ‘a traumatic event is one in which a person feels utterly helpless in the face of a force that is perceived life-threatening’. While the process of criminalisation (in the UK at least) cannot be perceived as life-threatening, on a philosophical and psychological level, the criminalisation of women threatens every part of the life she is accustomed to through the loss of jobs, relationships, children, and sometimes liberty. On a more practical level, the extremely high prevalence of self-harm amongst female prisoners (Hawton *et al.*, 2014), and the risks posed to women held in immigration detention centres, where they have often fled due to sexual violence on return to their home countries (Malloch and Stanley, 2005), build a case for the acceptance of criminalisation as a life-threatening process with very real psychological, physical, and social consequences.

‘The immediate psychological responses to such trauma include terror, loss of control, and intense fear of annihilation. Long term effects include the physiological responses of hypervigilance, heightened startle response, sleep disorders, and the more psychological, yet still involuntary, responses of depression, inability to concentrate, lack of interest in activities that used to give life meaning, and a sense of foreshortened future’ (Brison, 1999, p. 40).

All of the women in this study demonstrated many of the long-term effects of trauma, describing various diagnoses of Post-Traumatic Stress Disorder (PTSD), problems with sleeping, and the inability to concentrate. Small talk as the research room was being set up at the women’s centre focused on the women’s shared experience of being unable to sleep properly, being diagnosed with depression, and feelings of ‘impending doom’. My research notes describe some of these conversations:

*Everyone is very aware of their mental health. Two women have just been comparing their prescriptions from their doctors for anxiety medications and beta-blockers to stop their heart racing. Another said she can’t sleep on her own now and has her youngest daughter sleep in her bed. She says to other people it’s because her daughter won’t sleep without her, but her daughter is fine, ‘it’s me’ she said.*

Jessica, one of the peer mentors, discussed how she was struggling with certain aspects of her life that left her unable to concentrate.

*‘I can’t concentrate on anything. ... I do apologise if I do look like I am staring at you blankly [but] I am listening. ... I struggle concentrating these days’. (Jessica, peer mentor)*

Jessica is a peer mentor in her mid-20s. She has two children and is separated from the father of her children. She was convicted of benefit fraud, for which she spent a short period of time in prison, then on tag with probation supervision in the community. As a result of her conviction she was kicked off her university course at a local university. Jessica describes her relationship with her ex-partner as physically and mentally abusive. She has a new partner, but he does not live with her as he is a single parent too and lives separately with his two children. Jessica now works part-time in a major retail company but hopes to return to education.

Despite outwardly appearing to be doing very well - holding down a full-time job, volunteering as a peer mentor, and pursuing further education opportunities - Jessica struggled to concentrate during research sessions. As evidence in the above quote, she would often acknowledge this and apologise. This would lead to a discussion of something that had triggered her to think about a traumatic event in her life. In this instance, it was a letter she had received that had summoned her to the welfare benefits office. At a later research day, she disclosed that it was not anything to worry about, just administrative error as they had not realised that she was now in full-time employment. However, as Jessica's offence was related to the welfare benefits system, this letter was enough to trigger a traumatic response. PTSD was originally described under the American Psychiatric Association diagnostic manual as 'outside the range of usual human experience' (1980, p. 236). However, as Herman (1992, p33) argues, and has since become readily accepted, traumatic events are not 'outside the range of human experience', particularly for women whose lives are often punctuated by different forms of abuse that constitute traumatic experiences.

Sarah is a peer mentor in her early 30s. She has two young children and lives with her youngest child's father intermittently. She admits to this relationship being negative and describes previous romantic relationships as physically and emotionally abusive. Sarah describes herself as having complex issues with her mental and physical health. Her offence was around benefit fraud, for which she identifies her relationship as one of the reasons for the offence occurring. Sarah has volunteered for two different charities, which she really enjoyed. However, once she was convicted, the first charity she volunteered with would not let her continue. She identifies herself as having a diagnosis of PTSD and states she suffers with both anxiety and depression

Sarah, another of the peer mentors, described the role that her diagnosis of PTSD had played in her personal relationships and subsequent criminalisation.

*'I ended up with a condition called post-traumatic stress disorder that made me, ... for a time, a much weaker person and put me in a position where I allowed the partner who I had when all of this happened, to be a bit more dominant over me'. (Sarah, peer mentor)*

Sarah felt that her previous traumatic domestic violence relationships had played a role in how submissive she became with her partner. In later narratives, she described a period of sustained manipulation, verbal and emotional abuse and coercive control. It is within this context that the law-breaking occurred that ultimately led to her criminalisation. By the time Sarah became criminalised, trauma had already punctuated her day-to-day life. Indeed, I noted in my research notes that Sarah had described a worrying relationship.

*I think Sarah may be in an abusive relationship. She describes coercive control.*

At the end of another session, where she has reflected on her recent life experiences, Sarah acknowledged the extent to which past and ongoing trauma shaped her day-to-day life. As my notes describe:

*Sarah said, 'I need to leave him don't I?' at the end of today's session. I didn't know what to say so I asked her why she thought that. She got very emotional and said that he's no good for her. She keeps trying to move forwards and he keeps dragging her backwards. 'He messes with my head'. With her permission, I went and got the CEO of the peer mentoring charity to support her.*

Despite becoming a peer mentor and leading a settled and seemingly secure life with her children, Sarah struggled with past and ongoing traumas within her relationship. She commented quite frequently that it is easier to react if someone hurts you physically, rather than when they hurt you mentally. The context within which criminalisation occurred for Sarah, and many of the other women who also identified complex mental health issues that often

stemmed from adverse childhood experiences (ACEs) or various forms of interpersonal abuse, is that of mental health crisis and experiencing trauma.

A distinct element of all punishment is the transition from arrest, to court (either magistrates or crown court), and then on to either prison, community punishment, and/or probation supervision. The women in this study detailed, with great pain, the experience of this transition from individual to part of a system that holds their immediate and long-term futures within its power. Trauma within the CJS has often been imagined as a side effect of imprisonment, with studies highlighting links between imprisonment and the production of trauma (Segrave and Carlton, 2010b). However, the women in this research that had spent time in prison identified the court process as feeling perhaps initially more traumatic than the daily reality of prison life.

Jessica described how she was told she would probably go to prison, and how it was the experience of the court process that impacted her life dramatically, and in different ways to receiving punishment.

*'At the magistrates [court], ... he [solicitor] said 'you need to be looking at it today that you could be getting down for 12 months'. ... I remember walking out... for a cig, and like just that hurt, you know when it goes down your body into your legs, and you're thinking I'm not coming out for 12 months'. (Jessica, peer mentor)*

Like Jessica, most of the women agreed that the process before punishment was an experience that they will never forget and are reluctant to relive, describing the process of sentencing as a particularly key traumatic point. Janine recalled how difficult she found the process of attending court.

Janine is in her late 40s and has been sentenced to unpaid work in the last few weeks for an undisclosed offence. She describes herself as a professional person, who previously held a good job in a position of authority. She has children who are in their late teens-early 20s and is married. She describes her relationship as supportive, but she struggles with control. Janine identifies that she has previously experienced domestic abuse as both a child and an adult.



*'You are in the dark. You don't know what's going to happen. Your solicitor gives you the worst scenario possible, and ... that's the hard bit, because - and this sounds terrible - but when it doesn't happen, you are sort of left again, wondering well what do I do now? Because you have psyched yourself up to the worst possible scenario that's going to happen, you have built yourself up to it [and when] it doesn't happen, ... you have got to deal with that then'. (Janine, unpaid work)*

Janine was ultimately sentenced to unpaid work and community supervision. However, she had been told at the last moment that she may go to prison. What she describes is the CJS holding absolute, crushing power over her life during that time. She could not plan as she had no way of knowing what the future would hold. Shannon echoed Janine's experiences.

*'Numb, extremely numb. And again, scared about what's going to happen here. Because it's not explained to you. ... You are just told to turn up at such and such a time'. Shannon, Unpaid work.*

Shannon is in her late 20s. She is currently subject to unpaid work and probation supervision for an undisclosed offence. This is Shannon's third time undergoing a community sentence. She has two children and a dog. Shannon doesn't attend all of the sessions and does not reveal too much about herself during the sessions or within the data she produces.

As all of the women started nodding their heads during this interaction, I asked if they all agreed with this statement, to which they replied with strong statements of support such as 'definitely'. In my research notes I commented:

*Court keeps coming up. It is becoming a frequent conversation. I remember why though. It made me feel sick. Awful to remember even.*

The period before punishment was identified by all groups during analysis as a key period that impacted them negatively. The image (figure 7) is a group of photographs taken by five women and grouped by all women during the analysis cycle. Each of these images depicts a place that was significant to the women during the period between arrest and sentencing. During analysis, the women identified these as places where they felt they had no



Figure 7 'Power' analytical grouping

power over their own lives or futures. In line with Brison's (1999) definition of trauma as overwhelming 'the ordinary systems of care that give people a sense of control', these are some of the institutional spaces where the women pinpoint a traumatising loss of control occurring during their experiences of criminalisation.

The images show the court, where cases were examined and women sentenced to punishment; the police station, where women were brought after initial arrest and sometimes made to check in while on bail; and the 'justice' centre, where pre-sentence reports were made about them - but not by or with them. These were all spaces that the women felt deep emotional pain in physically revisiting. The difficulty in revisiting such spaces is reflected in the composition of the individual images. All images were taken from outside - they took the photographs from across the road, outside the gates, and often with a barrier between them and the space. Annie, took an image of the sign (fig.8) rather than the building as she explained, she just 'felt sick' the nearer she got to the court.

Annie is a volunteer at the women's centre who is in her early 60s. She has finished the unpaid work element of her punishment. However, she still attends the women's centre for probation supervision and to volunteer. She was convicted 18 months earlier for an undisclosed offence. Prior to this she was recently divorced after a long but controlling marriage. She has grown up children and grandchildren who live in Ireland. Prior to her conviction she was working in an office position and volunteered in the local community in various ways, such as Girlguiding and in her local church.

The description of feeling sick, or 'sick to my stomach', every time they go near these places was frequently repeated. In my research notes I observed:

*Image of railings in front of a building. I wonder if this is to symbolise prison or something else? ...*

We had initially discussed not placing ourselves in harm's way, physically or mentally, during the collection of the photographs. As such, we had



Figure 8 Sign pointing to the 'justice centre'/ court



Figure 9 Court / behind bars.

discussed more symbolic ways of capturing experience. The use of bars as a symbol of the prison was one of the things discussed. As such, I considered figure 9 a symbolic image to capture an individual's time in prison. However, when the group initially looked at the image I asked if anyone knew if it was to symbolise prison and it was not. I wrote:

*...It's not prison. She took it because it is the court building in the distance. But couldn't bring herself to go through the gates because of the bad memories.*

This was followed by a few of the women agreeing with the fact that they couldn't go back there either. One had lived around the corner from the court and had remarked that she moved to a new house shortly afterwards. She couldn't walk past it.

When discussing the period between arrest and sentencing during analysis, the women repeatedly cited the court process as being the 'worst time' in their lives; often due to uncertainty over their future and becoming 'branded' criminal or a bad person. The trauma of this process, from initial criminalisation to the commencing of punishment, was deepened by the length of time that it took for 'justice' to be served. For Janine, the journey to court had taken a long time, with her spending 17 months on police bail. Agreeing with Shannon's retelling of the court process as a drawn-out and painful experience, Janine expanded on what elongated court processes mean for those going through the process. Here she describes the ebb and flow of emotions she felt in the build-up to court sessions.

*'This should have all been sorted 10 months ago, but because of the system, it just got dragged on and on and on. And nobody else seemed bothered. Let's just delay it 5 weeks. That is basically how I lived my life for 12 months was just 5-week blocks. ... So, you have the build-up to knowing you're going to court, you went to court for the day, it gets kicked out and postponed again for another 5 weeks, so you have that big comedown'. (Janine, unpaid work)*

The women described the court process as being elongated and drawn-out processes that kept them in the dark. They felt that they may have been the subject of the court proceedings, but that they were not part of the

procedure – they held no power within this process. This meant that they had to put their trust in a process of ‘justice’ and rely on solicitors or barristers for information about their own futures. All the women described their lack of knowledge during this process through feelings of helplessness, leading to the production of trauma. This trauma was only made worse by the handling of knowledge by the women’s legal teams, with very little knowledge given until the last minute, and then possibilities for punishment offered that played on the women’s worst fears, often minutes before a hearing. For all the women, the court process was a period of suspension from ‘normal life’, whilst still going about their day-to-day activities, relationships, and responsibilities (all the women in this study were granted bail and remained within the community for the duration of the trial). However, ‘normal’ was suspended for all as they were no longer considered by themselves or others the same person. It is through this criminal justice process that the women were forced to face and accept the labels applied to them.

### *Labelling and trauma*

For the women in this study, up until this point, any deviance from societal norms had been temporary; for most of the women (25 out of 28 women) this was their first time through the CJS, and for those that did have previous convictions these were generally very minor which did not trigger full engagement with the CJS, or they had been dealt with in different jurisdictions many years before. It is the reaction of others to the initial deviance through processes of labelling that deviant identities become acknowledged (Chadwick & Little, 1987; Lemert, 1951; Muncie, 2008). It was in facing this societal reaction and coming to terms with the labelling that now applied to them, that the women began to feel the pain of becoming labelled deviant.

*'It's the feeling numb, and the guilt and the shame you have when coming out. Then it hit the papers, so you have to deal with people. I've never had anyone say anything to me. But you look at them and think, what are you thinking? What are you saying about me? They are probably not saying anything, but you have still got that in your head. What are you talking about? And that's the hardest thing to get past'. (Janine, unpaid work)*

This labelling of women during the criminal justice process is a key part of criminalisation. However, becoming labelled is a social process that is about more than identifying lawbreakers. Labelling attaches moral judgement and stigma to the individual that goes beyond the law-breaking act. As such acts that are not law-breaking in one context become criminalised through the stigma and moral judgements attached to them in another. Chadwick and Little (1987) explain:

'Law-breaking refers to a violation of established legislation, for example exceeding the speed limit. Criminalisation refers to the behaviour seen to be deviant, but not necessarily law-breaking, which then becomes criminalised' (p.255).

An example of this can be seen in the construction of the 'benefit cheat' or 'idle thieving bastards' (Bagguley & Mann, 1992), or the bankers who caused the financial crash in 2008. Both parties conducted law-breaking by financial crimes. However, while the former is criminalised, sentenced and punished, often labelled in local news outlets as a scrounger or benefit cheat, no bankers have ever been convicted of any financial crimes concerning the 2008 collapse of the financial sector. The discourse around why the financial crash occurred and why 'austerity' is needed in England and Wales is placed on meeting the needs of the welfare state, essentially laying the blame on those labelled 'scroungers' or 'benefit cheats'. As such those convicted of benefit fraud pay the price for their law-breaking and the perceived transgressions of all who receive the same label of 'benefit cheat'.

For women, the application of the label 'female offender' means that they pay the price for their act of law-breaking and how criminalised women deviate from the societal norms set for women.





Figure 10 High visibility vests

That is to say, women's worlds are constructed through 'patriarchal ideologies' that law-breaking and criminalised women disrupt and contradict (Chadwick and Little, 1987). By becoming labelled a 'female offender', criminalised women bear the moral judgement and stigma of breaking criminal law and 'natural' law.

The most obvious form of labelling was the use of high visibility vests to identify the women who were completing community payback (unpaid work) (see figure 10). It is legislated that all community payback should have a shaming element, as such, vests identifying the individuals as 'offenders' have to be worn. This is written into the contract for unpaid work between the CRC and the women's centre. When discussing having to wear the jackets Betty said:

*'That's what the courts say we have to wear. ... When we were out in the front, brushing up leaves and weeding, and other people can see, that is horrible, ... it's demeaning. I didn't like that'. (Betty, unpaid work)*

Betty asked me if I had heard the story about another woman being spat at outside the school gates in front of her children. I had heard this story from the women it had happened to. The incident had left the woman in question very fearful of being seen in public. She was also worried about it affecting her order because, when she had responded with verbal abuse to the women who had spat at her, the women responded with: 'I'll just go have a word with your probation officer shall I?'. When I asked Betty if she had experienced anything like this herself, she replied:

*'I remember once, me and few others were around the side and a woman said to her daughter "don't be looking there, that's where all the naughty women are"... ... One of the women really kicked off. They [the women completing unpaid work] had a right go at her'.*

Betty was very keen to add:

*It wasn't that any of us didn't want to do the work. We were quite happy to. It was what was written on the back. People treated us differently. If you had a high visibility coat on without 'community payback' nobody abused you.*

The women in this study considered themselves 'normal' women, who, on criminalisation had become outcasts, 'bad girls', and abnormal. This abnormality was shameful for them. Becoming labelled as such meant that they were being held up as examples of what a woman should not be and how a woman should not behave. It is the labels and stigma attached through criminalisation and the practical ways in which these labels affect daily life, that produces trauma. Criminalisation is not merely a recognition of law-breaking, but a collection of formal and informal communicative processes that seek to label and punish an individual.

Some of the women discussed how they dealt with the formal application of labelling by hiding the process as much as possible from their families.

*Claire: Mine don't know.*

*Abbey: No, mine don't know, my mum and dad don't know that I come here.*

*Nat (practitioner): But that's your choice.*

*Janine: It's not that I didn't want to tell my family. I just didn't want them to go through the hurt of what was happening.*

*Abbey: To protect our families, we didn't have a choice.*

Claire and Abbey managed to minimise the application of the deviant label applied to them through the court process by hiding their convictions from those close to them. They rationalised this by protecting their families from the harm of going through the process with them. More specifically, they felt they were protecting their families from negative labelling, and the shame and stigma that comes from having a daughter, sister, or mother who is considered criminal (Arditti, 2005).

*'I have never felt so worthless in all my life, it was just hideous, and because my daughter was there as well. She was crying, I was crying, I was just so embarrassed for her sake more than mine because I thought ... she is going to have this on her shoulders as well'. (Helen, unpaid work)*

Helen explained how the weight of her conviction was not just her burden to carry, but one that was also felt by her daughter. Importantly, it was not

the law-breaking behaviour per se that was the burden, but the embarrassment and stigma of having a mother who is labelled criminal.

Helen is in her mid-40s and has a grown-up child. She is currently subject to unpaid work, a driving ban and probation supervision due to a driving offence that involved alcohol. Helen is currently single. However, she describes previous relationships as negative and abusive. Helen has lived in the UK and in America. She does not work regularly now but has enjoyed a career working with horses in the past. Her current driving ban has made it harder for her to find regular work in this area.

Claire and Abbey were also not trying to protect their families from their law-breaking behaviour, but from the negative labelling that comes with criminalisation. However, it is also possible they were doing this to protect themselves from further judgement and the stigmatising effects of labelling from their families and friends. This was a particular motivation for Sophie.

*'I never told my nan I was here because she was quite old and judgemental, and very proper, and then she found out on my birthday'. (Sophie, unpaid work)*

Sophie is a young mum in her early 20s. She is serving a sentence of unpaid work and probation supervision. She describes how she was training to become a midwife when she found out she was pregnant. As Sophie and her ex-partner were working with a young child her ex-partner claimed tax credits. However, Sophie was then charged with tax credit fraud because she had signed the papers upon his request, but they were fraudulent. Sophie describes how she feels that her conviction is very unjust as she was manipulated into the crime and did not profit from it. She describes her ex-partner as manipulative, controlling and abusive. Since her conviction she has moved back in with her mother and she is working part-time alongside completing her unpaid work.

When she found out, Sophie's Nan did show her disapproval and reinforced some of the negative labels associated with criminalisation. This was

unsurprising to Sophie and the other women, as they all agreed that the judgement from family was worse than that from strangers. The family, particularly older women within it, are agents of informal social control over younger girls and women (Schur, 1984; Heidensohn, 1985). It is older women who pass on the 'right' way to behave as a woman. The women's behaviour is a reflection on the older woman that she has not done her job of nurturing a respectable daughter or granddaughter properly. The women in this study vocalised this in phrases such as 'I let her down'. However, they reflected the behaviour of their daughters on themselves, with Abbey suggesting that she would 'be mortified if my daughter was convicted and sent here [for community punishment]'.

Just like Sophie, many of the women were unable to hide their new 'deviant' label from their family, friends, and the wider community. Janine's trial was widely reported in the local press.

*'I always knew it would go to the newspaper, but I thought it would go to the newspaper at the end [of the trial]. ... [Instead] it went [to the newspaper] halfway through the trial ... and I had to carry on going to the court and through the system. And then at the end [of the trial], it went into the newspaper again, so I had that double whammy. Whereas if it had just gone in the paper at the end, I had prepared letters to my family, it was all written down, it was all explained to them how I wanted them to know about it, and not how some other person had written it in the newspaper. That wasn't my side [of things], and that was wrong'. (Janine, unpaid work)*

The open-access of the courtroom through the public gallery meant that some of the bigger cases, particularly those that ended up in crown court, were reported about in local and national newspapers. The women then indicated that this reporting was then posted and discussed in online spaces, such as social media sites, opening up new avenues for labelling of the women.

Worried that there may have been stories published about her sentence, or rumours circulating about it, Amy admitted to seeking out any formal labelling applied to her because of her conviction.

*'I googled my name, just to see if there was anything'. (Amy, unpaid work)*

Amy is in her early 30s and currently subject to unpaid work and probation supervision for an undisclosed offence. She has children and is a single parent. She lives on a local housing estate. Amy details how she had moved away to a more affluent area on the southern coast with her ex-partner. She talks about being happy there with her children. However, in order to leave that abusive relationship, she returned back home to the North West of England to the support of her family.

Janine felt deeply troubled by how her case had been reported whilst the case was ongoing. Although she had been warned and expected the case to be publicly reported, she thought this would only be on sentencing. When the case was reported at an earlier stage in the process, Janine was unprepared and had not discussed what was happening with her family or friends before they read it in the newspaper or on Facebook. Janine found this time a particularly hard time to recount; her recollection was punctuated by sobs, and tears fell from this otherwise stoic woman.

*'It was put on Facebook when it initially came out in the paper. [The comments under the article said] she doesn't go by the name Susan; she goes by the name of Janine. So, it is out there'. (Janine, unpaid work)*

She demonstrated the impact labelling had had on her everyday life through disclosing that she has not been to the doctor's surgery in over two years. Her fear was attending somewhere where her name would be called, and her anonymity compromised, meaning that those who had read about her in the paper would remember her and she would be recognised as an 'offender'. I probed about her exact fear: was it because she thought someone may approach her and physically or emotionally hurt her? She did not know, but rationalised it through the worry that her name may remind people of the negative reporting about her and they would know 'what the newspaper said I did'; which she asserts was an embellished and sometimes

factually inaccurate account of her case, without the mitigating factors. I wrote in my research notes:

*Janine is very anxious. She feels injustice regarding the way her story has been told by the news but doesn't want to tell her story in her own way here either.*

The research environment was a safe place for many of the women to talk about their offence and engage in discussion about their stories and how they felt misunderstood and/or ignored. Janine, however, chose not to share her story. Janine's contributions to the research showed that she was still very affected by the criminalisation process and was perhaps not ready to reconstruct her narrative for fear of labelling and further judgement.

Outside the research environment, Janine felt her name would identify her as a criminalised woman and she did not want to put herself in situations in which this might occur. Therefore, she did not attend the doctors to receive medical help, the jobcentre to claim welfare benefits or places that were unknown to her as 'safe' spaces. As such, she was becoming increasingly reliant - practically and financially - on her husband. Her world had become her home and the weekly visits to the women's centre. Whilst discussing the impact of labelling on her behaviour, two more women identified that they also no longer go to the doctor's surgery for the same reason, including Helen who added:

*'Something as simple as going the doctors, you don't think when you are sitting there. I had forgotten, and I went to the doctors and they announce your name over the tannoy don't they? When you are to go in? Luckily for me there was only one person in there when I got up to walk out [but] I thought she's talking about me, she recognised the name' (Helen, unpaid work)*

To which Sophie replied:

*'That has stopped me going the doctors that has'. (Sophie, unpaid work)*

Nat, the practitioner, (inadvertently) validated these fears as a rational response to the way people respond to disclosures of ongoing cases and sentencing of women by local news sites on social media. She offered an

anecdote about another woman who had identified herself as suicidal after reading the comments made about her conviction on social media.

*'It was literally the things that had been put on, she was like "Nat just read it". I said do you know what love, I don't want to read it, and I was like "do you know what? just delete it, block it, don't have it, don't have your Instagram, don't have your Snapchat"'. (Nat, practitioner)*

Nat then explained that this young woman did get signposted to, and did get help from, a mental health centre. However, she reflected on how the woman was not just commented on, but rather the comments had turned in to harassment, stating that 'they absolutely tortured her'. It is because of experiences like this that Nat was sympathetic to Janine, Helen and Sophie's feelings about being recognised or targeted because of reporting about their conviction. Nat explained that this was a regular occurrence in the women's centre.

*'The amount of women that I have to sit with who have been absolutely hung, strung, by social media sites – not by a judge who has sat there [but by] someone who is sat in their own house on that big pedestal, torturing someone'. (Nat, practitioner)*

Local newspapers and gossip on social media sites were not the only way in which the women experienced disclosure by a third party. Another of the women, Annie, had anonymous letters sent to her elderly and very frail mother to tell her that her daughter 'was a criminal'.

*'Yeah, it was someone who knows me. They put a letter through her door, [that read] 'I thought you should know'. [Family] didn't want to say anything to me because they knew what I was going through at the time, because my daughter had had a miscarriage and was having another baby, so I was back and forth to Ireland. I couldn't tell my daughter anything because I was too frightened of her having another miscarriage'. (Annie, volunteer)*

She spoke of this experience fundamentally changing the relationship between her and her mother, but also in particular between her sister and her wider network of friends. It created a tension that meant that, although



not formally withdrawn, she was unable to draw on her family and friends' support to get through the criminal justice process.

*'My mum is nearly 90, so I didn't want her [to know], it became horrendous. She never mentioned nothing, but then I had to go and see her. The problem for me is all my friends are my sister's friends. So, I have to be very careful what I say. I feel even now I cannot tell my mum certain things. Because if one of my sisters happens to tell someone else it all becomes gossip'. (Annie, volunteer)*

Being labelled criminal became a great source of internal stigma and shame that had an isolating effect (Rasmussen, 1996). The experience of criminalisation, through the application of the deviant label, extended beyond the administrative experience of attending court and receiving punishment. The implications of being labelled criminal offered immediate symbolic personal consequences and impacted on the women's abilities to complete 'normal' everyday tasks and maintain 'normal' relationships.

For many of the women in this research, the labels attached through criminalisation had very real practical implications. Sarah had been volunteering for a charity that assisted families in their homes for two years. She had begun to make positive changes in her life to move away from the behaviours and circumstances that led to her law-breaking. However, on conviction for activities that occurred years before the volunteer placement, she was called to a panel to explain herself.

*'It [volunteering role] was just took like that. It went to a panel, took me in, we had a little meeting just me, a lady from the panel, and my peer support at the time. We sat there, and I told them everything from that to that to that to everything. Erm, and she said 'that's absolutely fine, you have been completely honest with us, you have explained it in good detail and you have been open and honest about what the possible outcome is going to be, we can't see any reason you can't continue with us, we're positive that, you know, you will be fine to continue with us''. (Sarah, peer mentor)*

However, two weeks later Sarah was informed that the panel had ruled against their original decision as their policies did not allow anyone with a conviction to work for them, regardless of the severity of the conviction.

*'It was just a cruel way that they went about the whole thing. If she had gone through the policies first ... I would have said fine, fair enough ... but they said no it will be absolutely fine, we will take it to a panel, we will discuss it, make sure you are safeguarded, blah blah blah ... then the exact same woman came back ... cruel woman'.  
(Sarah, peer mentor)*

Criminalisation for Sarah, regardless of the severity of her conviction and exemplary conduct in the volunteer role for the previous two years, meant that she had been labelled as a risk to the service users and the charity itself. As such her volunteer role and support network, in the form of other volunteer peers and the volunteer managers, was withdrawn. This was despite Sarah sharing the intimate details of her life and how it had led to her criminalisation.

Before moving on to discuss criminalisation and abusive interpersonal relationships, it is worth noting that the labelling of the women in this study did not always negatively impact their relationships with family and/or friends. For example, a few of the women's immediate family rallied around to support them as, through the process of criminalisation, truths about their lives that they had concealed from family and friends were revealed. For all the women in this study, one such 'truth' was relationships that were steeped in domestic violence - through control, manipulation, physical and/or sexual violence - and for some histories of similar abuse beginning in childhood and extending throughout their lives. Those that supported the women during these periods of intense vulnerability overlooked the deviant labels applied to them as criminalised women and rather attended to them as victims.

Whilst the process of criminalisation was universally experienced as a traumatic period in the lives of the women in this study, it was not the first traumatic event many of the women had experienced. Instead, it was a more formal and public version of trauma that had punctuated their lives. Trauma was a common feature of the women's daily activities, and for many, it contributed to the behaviour that led to them being criminalised. This can

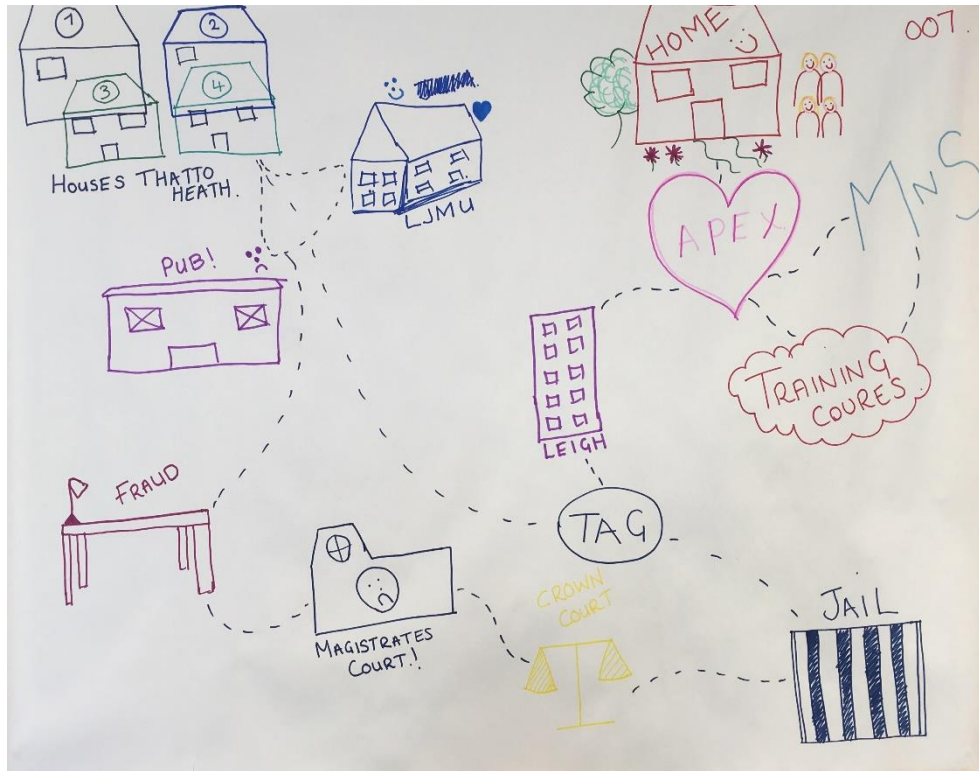


Figure 11 Map. Jessica, peer mentor

be seen most explicitly in the link between abusive interpersonal relationships and criminalisation.

### *Criminalisation and relationships*

All the women in the study demonstrated a strong link between experiencing criminalisation and abusive interpersonal relationships. Criminalisation was frequently experienced through relationships with men, with the act of law-breaking often occurring as part of an act of survival within their personal lives. Committing the act of benefit fraud, by not declaring that their partner was living at their home for periods, was a frequently cited form of criminalisation.

*‘These are the four houses that I was done for benefit fraud on [points to the top left of the map - see Figure 11]. Because I said I was a single parent, but I had my partner living with me. This is my current one now. When I got done for it, I got done while my kids were babies. My partner was working away, and he never brought any money home. He was always drinking while he worked in Scotland, so I claimed benefits for me and the children at home’. (Jessica, peer mentor)*

Jessica explained how she claimed state welfare benefits as a single parent because she could not rely on her partner to provide for her or their children. She was later committed of benefit fraud as she did not notify the welfare benefits office of the frequent changes in her circumstances. She felt unable to say no to her partner during the periods he stayed at her house, as he was the father of her children and she described the relationship as controlling with frequent domestic abuse.

Sarah echoed Jessica’s experience. She had pleaded with her partner to allow her to come ‘clean’ and start a claim for welfare benefits that accurately reflected their circumstances, but the abusive nature of their relationship meant that he retained the power of this decision with Sarah facing the consequences.

*‘Knowing that I was going to be facing a major problem in terms of being caught - because it [benefit fraud] was as you know getting*

*bigger and bigger and ... more and more people were getting caught all of the time - ... I had argued until I was blue in the face with my partner to come clean and sort things out and do it the right way ... and [he] would not budge'. (Sarah, peer mentor)*

Both Sarah and Jessica's offences occurred as a direct consequence of the lack of power they had within their relationships, and the failings of the welfare benefits system to be able to respond quickly to dynamic and changing contexts of contemporary families. Jessica explained that she did initially inform the welfare benefits office of relationship changes, but each time she informed them of a relationship change her claim was ended and it could be four to twelve weeks before her new claim was assessed and in payment.

Jessica described how she could not predict whether her partner would stay for long enough periods to support her and the children in the absence of welfare benefits, and so she fell into the habit of not informing them of each change. Eventually, her partner's work elsewhere became unavailable and he moved in with her full-time, for which she did inform the welfare benefits office.

*'But 8 years down the line, someone blew me up, and they took it right back to when the kids were babies. I didn't get done for that current time then, it was for 8 years previous. So, then I lost my job, Uni, and I moved house. Left my partner and ended up in jail, for 8 years previous'. (Jessica, peer mentor)*

As can be seen, Jessica was convicted eight years after the actual act of fraud took place. Within this time Jessica experienced increasing levels of physical and emotional abuse and coercive control from her partner. Jessica found ways to resist this control - by going to university and finding a part-time job - and ultimately, she used these tools to give herself an increased level of agency over her life. However, her perceived commitment to the relationship was used as an indicator of the benefit fraud being well planned and a calculated offence rather than an act of survival in an abusive relationship that she was unable to leave. Once she became criminalised,

she lost her job, university place and returned to becoming reliant on her abusive partner.

Sarah discussed multiple relationships that demonstrated both physical abuse and coercion and control through mental and emotional abuse.

*'After the first one I just... walked away from that thinking well any men that ever raises his hand to me, there is no way I would stick it out for two years like I did. ... I would run for the hills straight away, and then I met this fella and it is all mental with him but I think I always try and justify it with well men play mind games anyway, not to that extent a lot of the time but they do, they just play with your head don't they because they are idiots like that'. Sarah, peer mentor.*

When asked whether she was putting up with behaviour from her partner that she is unhappy with because it is not physical, she replied:

*'Possibly yes. But physically if it was physical at least I knew where I stood, mentally it landed me up in that court'. Sarah, peer mentor.*

Sarah recognised the role that this relationship, and the controlling and coercive behaviours she described her partner displaying, in her criminalisation. However, when asked about why she stayed in this relationship Sarah added:

*'I am stronger in myself and in my own mind now and I know when he is doing something, and I will say something to him... ...We don't live together; he lives in his own place'. Sarah, Peer Mentor.*

She felt that ultimately the deciding factor for staying in this relationship was that it was not affecting her children. Whereas leaving the relationship would. Sarah asserted that the welfare of her children, through having a stable father figure, mattered more than her own mental, emotional, and physical needs or welfare.

Christie's Map (Figure 12) documented her life through a series of places, from childhood until the present day. When presenting the map, Christie crossed out the places where she had experienced domestic violence, both as a child and an adult. She referred to her marital home as a 'house of

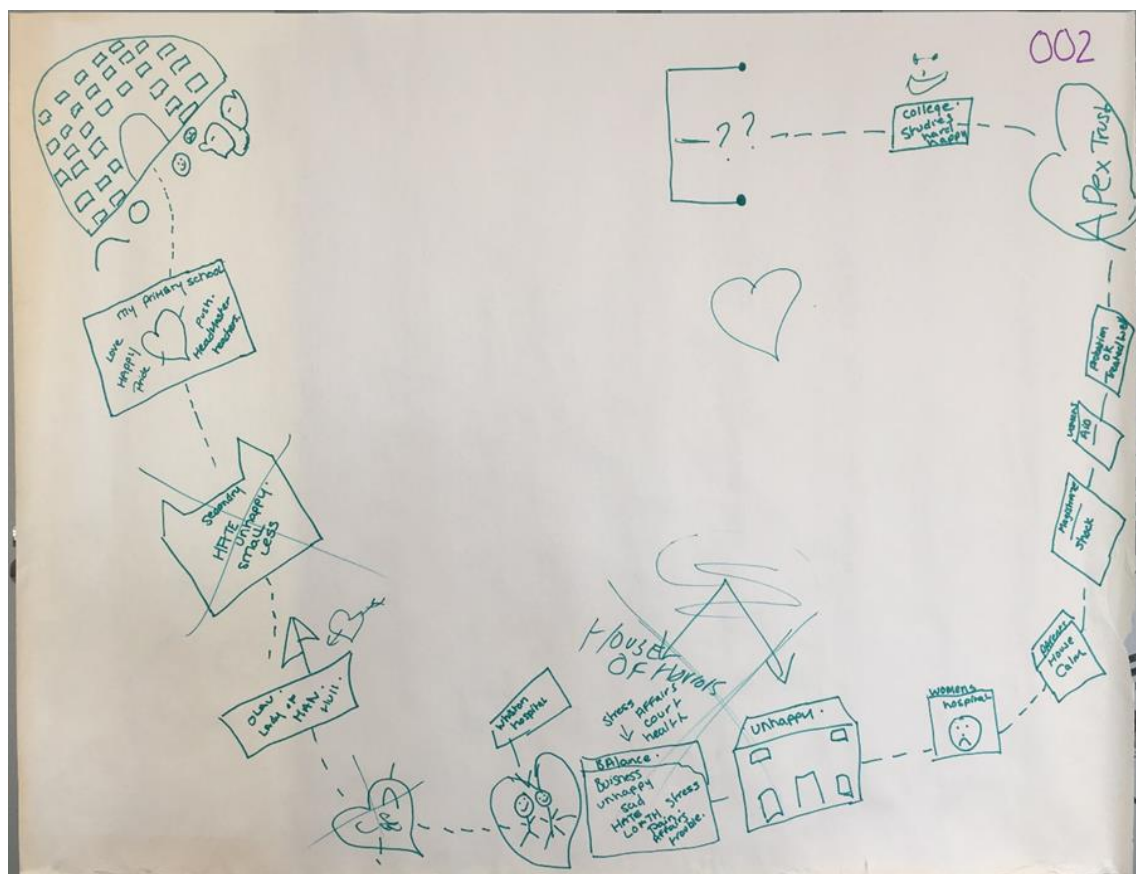


Figure 12 Map. Christie, peer mentor

horrors'. It is here that her law-breaking behaviour occurred, and she described this as a direct result of years of domestic abuse and control.

Christie is in her late 50s. She is a peer mentor who was sentenced to unpaid work and probation supervision after damaging the house she shared with her ex-husband. Christie has two grown up children, and describes her relationship with their dad, her ex-husband, as controlling and abusive. Christie used to run her own company with her ex-partner and the day the offence occurred her marriage ended, she lost her company, and was arrested. Christie describes her life as one filled with various forms of abuse from different key actors across her life course.

Jessica, Christie and Sarah's experiences are all indicative of the women in this study, who all agreed that they had gone through similar experiences to varying degrees. The connection between criminalisation and personal relationships – as evidenced through the experiences of Jessica and Sarah, and the other women in this study - contradict early desistance theorists' notion that the structural bonds of marriage provide informal social controls, offer emotional support and informal monitoring; thereby actively promoting desistance (Laub, Nagin and Sampson, 1998; Healy, 2010). Whilst long-term relationships do offer social controls, the women in this study demonstrate that such social control is not pro-social and can instead lead to criminalisation. For example, Jessica's criminalisation and punishment led to her abusive partner being able to exert greater control over many different aspects of her life.

*'I had no way out. ... I had lost everything. What else did I have?'.  
(Jessica, peer mentor)*

In her case, the processes and procedures of punishment became complicit in the control and abuse she experienced. When she went to prison, her partner was the person that took charge of her house, responsibility for the children, and even had access to her personal affairs such as her bank account. These arrangements were made despite the disclosure of abuse during the trial, in prison, and whilst on probation. Punishment therefore



simply served to entrench the abuse that Jessica had experienced in the 10 years before criminalisation, while simultaneously offering opportunities for her abuser to secure her reliance on him.

To fully understand the experiences of community punishment felt by the women in this study, it is important to hear and consider their life experiences before law-breaking and during the early stages of their interactions with the CJS. During this period, it was identified that interactions within the earlier stages of the criminal justice process contributed to the women interpreting this period as traumatic for them. Criminal justice processes, media reporting, and societal reaction led to the solidification of deviant labels that offer a narrative about the women that extends far beyond the original act of law-breaking itself. It is in this period that the process of criminalisation begins and is later reaffirmed through practices of punishment. From this point on, the women in this study are no longer experiencing criminal justice intervention merely as a female variable of a homogenous 'offender' experience, they are no longer simply female lawbreakers, they have become criminalised. However, the trauma felt during criminalisation - both symbolic and actual - simply builds on life histories already punctuated by trauma. Resoundingly, the women described how interpersonal relationships across their lives had built traumatic events into their everyday experiences. They then had to absorb the further trauma of becoming labelled deviant alone, to protect their family. When they could not conceal the label that had been applied to them, they risked losing their family support or harming those that stand by them. It is through criminalisation that the power of the state manifests itself as an oppressive force that replicates traumatic moments felt by these women. Whilst this has the potential to be viewed as deterministic and criminalised women as passive objects to be labelled and controlled, criminalisation is merely the process of women entering the penal field. As they progress through the CJS criminalised women become more knowledgeable actors, finding ways to resist criminalisation and negotiate

justice. Central to negotiating this period in their lives is the ability to overcome the trauma of criminalisation, along with any past traumas that have been left unresolved.

### *Managing trauma*

As the women in this study testified, trauma from grief, abuse, and loss had punctuated their lives, with criminalisation often becoming the latest in a litany of traumatic events. To negotiate the effects of trauma, the women developed ways of removing themselves psychologically from the traumatic events/circumstances. The two mechanisms for psychological removal observed in this study were *humour* and *imagining elsewhere*.

### *Humour*

‘Perhaps I know best why it is man alone who laughs; he alone suffers so deeply that he had to invent laughter’ (Nietzsche, 1968, p. 52).

As she recounted the build-up to the day of her sentencing, a time that she described as ‘traumatic’, Jessica found the conversation diverted by a photograph that someone has taken of a miniature mobile phone next to a lighter to show size and scale. She then described an interaction with a neighbour on her estate the day before sentencing where she was offered an illegal miniature mobile phone:

*Jessica: Someone offered me one the day before I got sent down.*

*Frances: Did she?*

*Jessica: Mmm [laughs], it’s bad enough where I was going, he asked me if I wanted one to take in. I said, ‘are you real?’ That’s what it’s like living on my estate. [all laugh]*

Just before this exchange, Jessica had been wiping away tears from her bloodshot eyes after describing the terror she felt in being sentenced to imprisonment. However, within minutes she and the other women in the group were laughing. This laughter was the first, but certainly not the last, episode of ‘inappropriate’ or unexpected laughter experienced within this research. Despite group discussions covering traumatic events, including

abuse, childhood trauma, and the lived experience of criminal justice processes and punishment, there were frequent bursts of laughter.

Practitioners often peered through adjoining windows with puzzled expressions as laughter punctuated the otherwise sombre and tear-filled sessions. To an outsider, this laughter may have seemed crass, proof enough to question the authenticity of the women's description of this as a time of trauma; surely laughter means that the tears she is still wiping away are just 'crocodile tears', an act for the others in the room. Jacqueline A. Bussie (2015) discusses laughter as 'ethical and theological resistance' in the face of oppression and dehumanisation. Drawing on excerpts from Nobel Peace Prize winner Leymah Gbowee's memoir, *Mighty Be Our Powers* (2011), Bussie (2015) highlights how when laughter is used as a coping mechanism in response to a traumatic event, others label it, and those who are laughing, 'sick' or immoral.

'We all howled and choked. A Swedish boy who was working with the Manchester researchers looked at us in horror. "You people are sick!" he shouted and ran off. We almost killed ourselves laughing. You laugh instead of cry. You laugh because you survived and, in an hour, something else might threaten your life. What else can you do?' (Gbowee and Mithers, 2011, p. 213).

The narrative of 'if we don't laugh we will cry' was a common thread throughout the research, as women realised they were breaking the roles expected of them, where this laughing could be perceived as mocking the justice system, their punishment, and/or their victims. Bussie (2015) asks,

'Why are Gbowee and the oppressed men and women of Liberia laughing at their own oppression and suffering? Why does such laughter make many of us uncomfortable, like the Swedish boy in Gbowee's story?' (p.171).

Pondering further why those suffering oppressions, and laughing about it, have been largely ignored by theologists, Bussie (2015) argues that the lack of understanding of laughing during tragedy speaks to our inability to really listen and hear the most vulnerable. She theorises laughter as ethical and theological resistance to oppressive structures that produce trauma.

Herman (1992) suggests that ‘the core experiences of psychological trauma are disempowerment and disconnection from others’ (p.133). Therefore, it is understandable how the collective activity of laughing during times of acute hardship, oppression, and psychological pain, may provide a way of resisting the trauma imposed by oppressive structures. Laughter can empower the survivor of trauma to recount the experience, re-narrating it in a way that makes sense of the trauma experienced (Herman, 1992). Laughter can also help forge new human connections. The women in this study were not known to each other before punishment. The peer mentors were matched with people new to the process precisely to offer advice, guidance, and reassurance for women who, through criminalisation, had been disconnected from their usual wider social networks.

However, despite not being known to each other, the women came together to support each other through the retelling of their stories. During one of the map-drawing sessions, it was a summers day and so the windows were wide open. As the women and I drew maps and discussed what we were drawing, talking about the stories of our lives, music from a busker on the street below wafted through the window. As Christie talked us through the abusive relationships she had encountered throughout her life, from childhood to present, all the women had tears in their eyes. Christie sniffed and wiped a tear away from her cheek and said, ‘did you bloody pay him or what?’, referring to the busker singing sad love songs over a makeshift loudspeaker. On saying this, the room erupted in laughter. Tears flowed but the laughter continued, with some of the women also breaking into song. The lyrics to the song then became ways to talk about the horrific abuse endured, with the narratives punctuated by laughter and tears. Laughter, however, was not only stimulated by situational factors, such as the music from the busker or conversations outside of the scope of the research, but by the products of the research itself.

For example, while reflecting on the images produced during the data collection, Helen discussed the travelling she had done in her life, how she



Figure 13 Unusable car.

had worked in America for years before her offence, and how an abusive husband meant she had to leave and return home to the UK. Another abusive relationship led to the event of breaking the law. This was quite an emotional story for her to tell, as she felt that 'her wings have been clipped' by abusive men, and now by the punishment she was subject to. She then identified the image above (Fig. 13) as her car.

*'That one's my car, and it's depressing because I can't use it anymore. And I have to walk past it every day to go and get the bus [laughs]. ...Well, it's going to have to be sold because by the time I get my licence back the insurance will go sky high, and financially I just can't'.  
(Helen, unpaid work)*

The image is as symbolic as it is practical for Helen. By losing her driving licence and her car, she also lost independence, thereby making her more dependent on her friends and family; something she discussed with obvious discomfort. However, Helen and the whole group then made the sale of Helen's car to each other a running joke of the session, with Helen herself offering me 'a lift home with her' on the bus as we got up to leave.

*Helen: This is a very definite punishment for me, yeah.  
Abbey: Whereas for me, I'm learning to drive, so I just look at that picture and only see a positive.  
Helen: Do you want to buy a car?  
Abbey: [laughing] Depends how much!  
Shannon: Will you do her a good deal?  
Rachel: Will you do it for her on the weekly?  
[all laughing]*

Whilst appearing to be a big joke, the above exchange was looked on distastefully by the unpaid work practitioner, who pulled a disapproving face and quickly sought to calm the women by uttering 'come on now'. The 'joke', however, was a way of processing the trauma Helen had felt throughout her traumatic relationships and the 'justice' process. It was not really about the car, but about defusing the other aspects of her narrative that she found traumatic. Independence was extremely important to her. Helen described how she had prided herself on the ability to get away from abusive relationships and protect her daughter. Walking past her car that she could

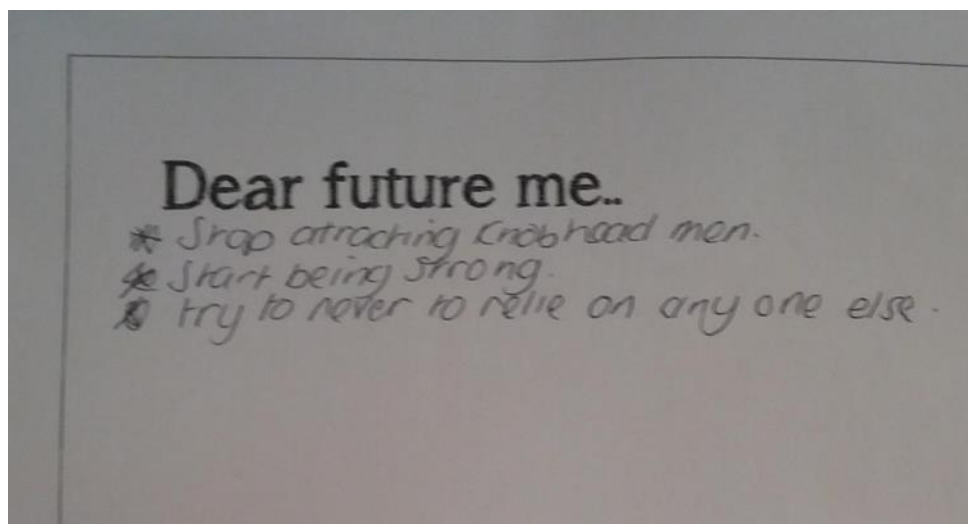


Figure 14 Dear future me letter. Abbey, unpaid work.

no longer drive each day was not traumatic because she had to ride the bus, but because it was a symbolic representation of all that she had been through; losing her independence felt like a failure.

Abbey showed similar humour in her 'dear future me' letter (see Fig, 14). She detailed in her map the significance of her past abusive relationships to her current criminalisation and punishment. She showed that she had experienced physical abuse within her relationship, to which she had retaliated. Whilst she had been too scared to involve the police previously when she physically attacked her partner during an episode of sustained physical and verbal abuse, he called the police and she was arrested as a perpetrator of domestic abuse. When asked to think about the future, Abbey wrote 'stop attracting knobhead men' to which she and the group laughed. Laughing about her relationships was a way of diffusing the trauma of the physical and emotional abuse she had endured, which ultimately led to her criminalisation.

Among each of the groups, there was a lot of laughter around the role of relationships in the lives of the women. As most of the women disclosed past or current experiences of domestic abuse, it is unsurprising that discussing anything related to relationships resulted in the use of humour to produce laughter as a way of processing the traumatic memory of these relationships.

Abbey is in her early 30s and subject to unpaid work and probation supervision for assaulting her ex-partner. Abbey describes this relationship as being abusive, with her often the victim of physical and emotional assaults and abuse. She describes how the police were frequently called but did not do much to intervene. She is now a single mum to three children, she has a new partner who also has children, but they live far away so they only meet at the weekends. Abbey describes having unwanted visits from social services, but the case has recently been closed.



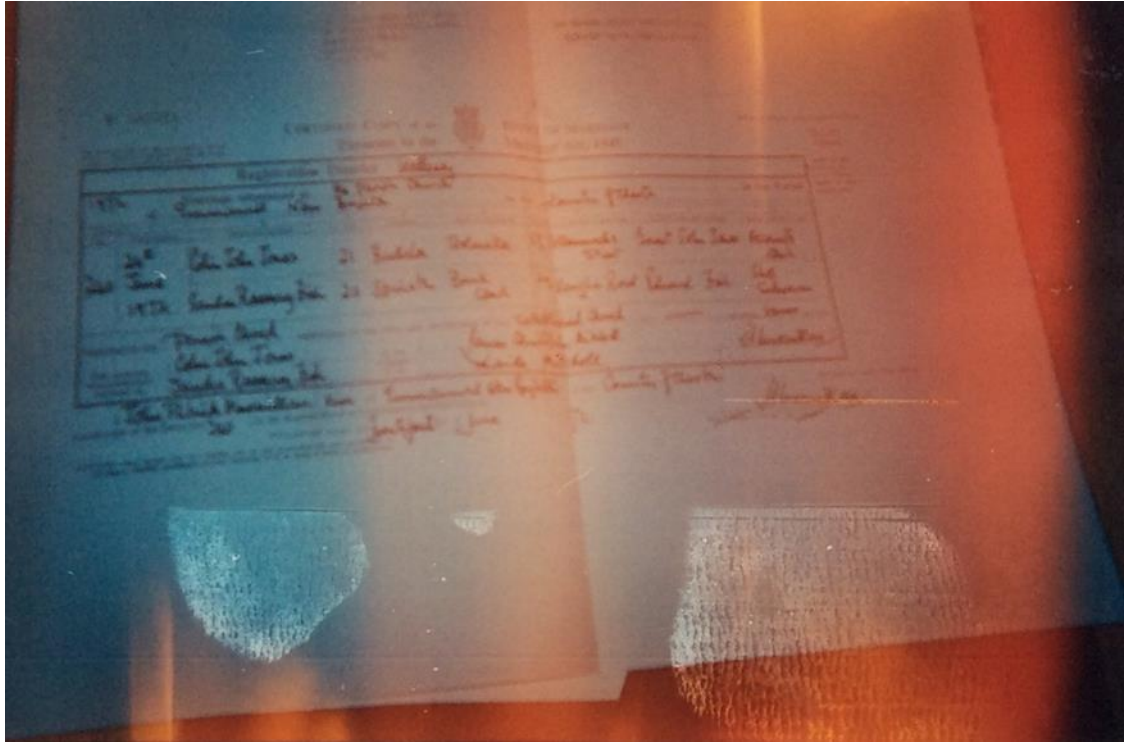


Figure 15 Marriage certificate

When examining the images for analysis the group of women subject to unpaid work spoke about an image that appeared to be a marriage certificate (fig 15).

*Nicola (researcher): So, it looks like someone has put this image in this pile. What is it? A marriage certificate?*

*Abbey: That's a job in itself isn't it?*

*Shannon: I would have that as a punishment.*

*Helen: I put that one as a hobby because some people do get married a few times don't they?*

*[all laughing]*

Laughing at a horrific event when you are an 'innocent victim' such as Gbowee (2011) described may be viewed as 'sick' and not understandable as a reaction to trauma by a bystander. However, when the person laughing is a woman subject to punishment, and the bystander is the criminal justice worker, the implications are significant. Laughing is interpreted as a sign that the punishment is not being taken seriously, or that it is having a minimal impact; increasing the risk posed by the 'offender'. Laughing is determined to contradict the behaviour expected of those subject to punishment. Punishment is meant to be painful, and if those subject to it are laughing then the pain of punishment must not be felt in significant enough measure.

Humour and laughter are not the only ways in which the criminalised women in this study navigated the traumatic events of their lives and criminalisation. In response to the trauma experienced during criminalisation, women used laughter as a way of reconnecting with others, and they used imaginary others and an imaginary elsewhere as a way of reconnecting with their self.

### *Imaginary other & imagined elsewhere*

Herman (1992) describes reconnecting with oneself as a key stage in recovery from traumatic events, recognising that imagination plays a key part in this process. As the traumatised individual moves away from re-living the traumatic present, unable to remember or think to the future, she begins to reconstruct a new self, both in real and imaginary terms. She can remember the best parts of herself from her life before the trauma

occurring. In revisiting old desires, she constructs a fantasy of how life can be, based on her life before the traumatic event/s, and within a therapeutic environment, can make the link between fantasy and actions towards that goal (Herman, 1992). The women in this study did this in two distinct ways. Firstly, they distanced themselves from the negative aspects of their life before criminalisation by discussing the images produced through an imagined 'other'. Secondly, they imagined futures free from a criminalised label in imaginary places away from their current lives.

During a session discussing the images they produced, the women still subject to community punishment discussed the meanings behind the image below (Fig.16). The discussion that occurred was strange when contrasted to the peer mentor group's discussion. Whilst the peer mentor group all took ownership of their images, discussing each as belonging to them, the unpaid work group all discussed the images from the perspective of another, using phrases such as 'it could mean this...' or 'maybe she took it because...'.

*Tracy: Gambling? They could be addicted to gambling...*

*Shannon: That could be how they got into trouble in the first place.*

*Helen: Yeah, the betting shop, spending all their money in there and then having to go out robbing.*

*Tracy: Or someone that they know*

*[all laugh]*

*Shannon: It's true though isn't it? [laughs]*

One of the women (not in the previous exchange) had taken the photograph, but she did not want to explain the reason through ownership of the photograph. Instead, she distanced herself offering a possible suggestion rather than a definitive answer. All the women on unpaid work - bar one or two exceptions - discussed the images from the perspective of an imagined other. They offered explanations that were dislocated and abstract from their narrative, whilst simultaneously being informed by their day-



Figure 16 The betting shop



Figure 17 Mental health unit

to-day experiences. Another example is the discussion around an image of a mental health unit of a hospital (fig 17).

*Helen: Someone struggling with mental health problems?*

*Abbey: Yeah, someone who has struggled.*

*Janine: She may work in the hospital though...*

*Abbey: She may have got better though, so she could be viewing that positively as she's better now...*

*Shannon: You could be going to visit someone you care for.*

*Janine: Yeah, the NHS is either good or bad news.*

There was a distinct difference in the way the women still subject to punishment and supervision within the community, and how the peer mentors who were no longer subject to punishment, talked about the images. While the unpaid work group offered narratives of an imagined other, the peer mentors took distinct ownership of the images. In contrast, the unpaid worker's discussion of the mental health unit in figure 17, Jessica, one of the peer mentors, used the photograph as an opportunity to speak about her own experiences of depression.

*'It [the image] gives me a headache. It gives me a headache because my brain hurt so much when I was going through all that and it was a constant battle. We all did an exercise [here] yesterday, you know living with autism and all different noises happening and commotions going on in your life ... and that's what it's like. ... It's just the same as trying to live with autism, and it sounds ridiculous to compare to two, but they are very similar, when you are living with that, that depression, that deep-set depression'. (Jessica, peer mentor)*

Another example of an image provoking intimate reflections from the peer mentors was Sarah's image of the maternity hospital (Fig.18). This provoked a deep discussion about her life at the time of the birth of her children.

*'My pictures are just these two of the [hospital] and there are two pictures because I've got two kids. ... With my oldest, I was in a domestic violence relationship. [My partner] never touched me all the way through the pregnancy though so I was in quite a good place at the time that he [my oldest] was born. ... It was only after he left the bedsit and on to our first proper house together that it started again'. (Sarah, peer mentor)*



Figure 18 Maternity hospital



Figure 19 American dream



Discussing the images in this way served a dual purpose. For the peer mentors, the images served as a key into broader in-depth personal narratives. Their knowledge of the penal field gave them the security to know that it was in sharing such in-depth and personal information from their perspective that taken for granted assumptions about criminalised women and the labels applied to them could be challenged. However, in contrast, for the women still subject to punishment, utilising an imaginary other rather than taking ownership of the day-to-day experiences of criminalisation dislocated the criminal label away from the criminalised women and on to the imagined other instead. By doing so, it allowed them to reimagine and reconstruct themselves without the labels attached to criminalisation.

However, whilst the imagined other permitted a reformation of the past self, it was through picturing the future in an imagined elsewhere that this reformation of the self could become actualised. Helen, for example, was one of the few exceptions on unpaid work that felt able to take ownership of her photographs. However, the narrative she assigned to the images she produced represented an imaginary elsewhere, rather than an imagined other. Helen shared multiple images of collages and mood boards she had created and displayed in her home. The images were predominantly made up of images of New York City. Figure 19 shows a collage of pictures Helen had made and displayed in her living room. These were displayed in what appeared almost like a shrine, with candles and other precious objects arrayed in front of them. When holding this image, Helen discussed emigrating to America with her daughter when her punishment is over.

When we consider this imagined future in a far-off place in conjunction with her map (Fig. 20) we can see that while Helen does not explicitly discuss criminalisation and law-breaking, she does view her life in two halves. In the first half, she is happy and successful in America, while in the second she has a settled life in the UK that is rocked by a painful separation. Moving back to New York is no longer a possibility for Helen, as the likelihood of obtaining



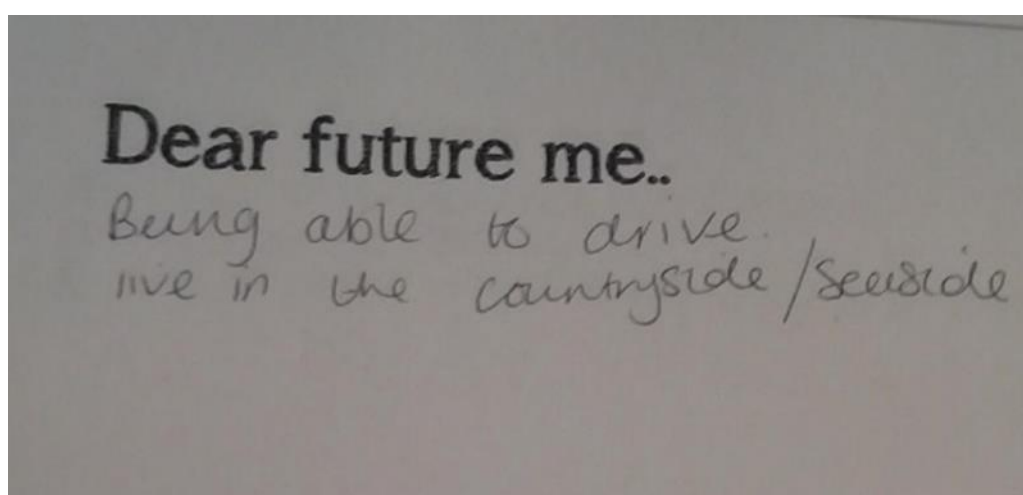


Figure 21 Dear future me letter. Amy, unpaid work.

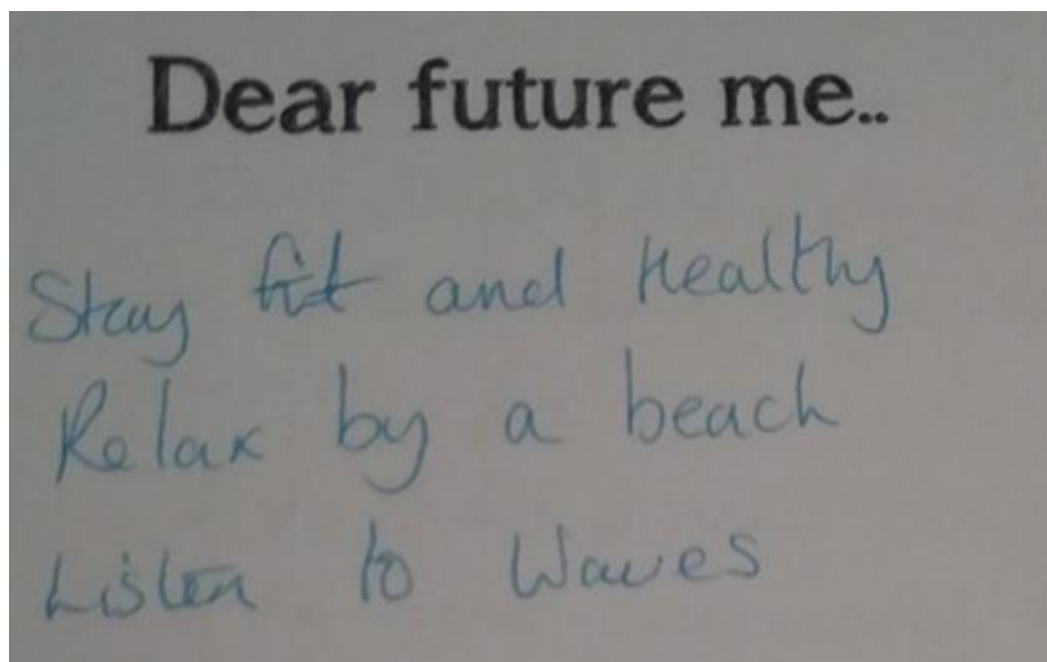


Figure 22 Dear future me letter. Sophie, unpaid work.

an American visa with a criminal conviction is extremely low. Despite this, she clings to the idea of moving there to start a new life with her daughter. This imagined future elsewhere is an extremely important part of Helen managing her everyday life during punishment. She is holding on to the aspiration of a crime-free future in a place she was not labelled by criminalisation.

Helen was not the only women subject to community sanctions that imagined a future elsewhere. The theme of futures in far off places was common, with imagined places by the sea or in the countryside popular. These imagined spaces were often drawn from early childhood memories, with visits to the seaside or country holding happy memories that are dislocated from the traumatic present. Sophie (fig. 22) and Amy (fig. 21) both wrote about being near the sea or in the countryside within their letters to their future selves. When discussed, all the women agreed that their overall aim would be to get away from the current urban environment to somewhere that was more natural, laidback, and accepting. The notion of somewhere with a tight-knit community was discussed, with the women viewing rural communities as offering that sense of welcoming community. What was discussed within these imagined futures elsewhere was the features of neighbourhood space that they felt was missing in their current lives.

Amy (fig. 21) and Sophie (fig. 22), both subject to unpaid work and probation supervision, both identified the seaside as somewhere they would rather be. Amy linked this back to the place she lived before she became criminalised.

*‘I’ve drawn a house with me myself, my house, and my kids. With North, East, South, West. We moved south. I’ve drawn a beach and beach huts because that’s where we were happy’. (Amy, unpaid work)*

When the images were taken and then coded and discussed, the women overwhelmingly chose the image (Fig 23) of a lighthouse just a few miles from the site of punishment to symbolise their future goals and aspirations.



Figure 23 Lighthouse

This image also mirrored the content of the 'Dear future me...' letters written by Amy and Sophie. Despite being so geographically local to their homes, the lighthouse remained far removed from their everyday lives. They embraced the symbolism of a lighthouse, in that it is a beacon to attract, guide and protect through rough waters (Blake, 2007). Some women highlighted the calm and serenity in the image and showed a desire for the seclusion felt by the lighthouse in the image.

Each of the futures imagined elsewhere were dislocated from the penal field, they were free from the controls of punishment, and no longer criminalised. These imagined futures were simplistic, and for many of the women, they had not been fully thought out, or the challenges or roadblocks to achieving these imagined futures were not acknowledged; they remained, for now, a daydream.

Frances is a peer mentor in her late 40s. She has three children and one grandchild. She has a complex history in the CJS, having spent time in prison in France for drug smuggling during her early 20s. She then had a long period of desistance, before struggling to get a job with her criminal record. Stuck in the benefit system and with a recently failed relationship Frances began a negative relationship with alcohol. This she describes as being the crux of her most recent law-breaking behaviour. Whilst intoxicated she smacked her youngest child. This time she received a community sentence and it was this event that led to her engagement with the CJS in England and Wales for the first time. It was upon finishing her period of probation supervision that Frances began to volunteer as a peer mentor.

The future thinking of the peer mentor group (who were further away from punishment) contrasted with that of the unpaid work group in that they were able to operationalise their imagined futures. In looking forward to the future they chose achievable goals and put in place plans to meet those goals. However, the goals that they were achieving were once as day dreamlike as the imagined elsewhere's of the unpaid work group. Frances explained how imagining herself at university was at one stage laughable, but through completing educational courses and her peer mentor role she

had secured a placement at the university of her choice. She was still envious of the opportunities that students had. She referred to how students used the outside space in the city centre to socialise. She felt that this space did not belong to her.

*'I always had that envy that I never did [go to university], like even just walking through town when you go back [university] Square where all of the students are sitting out, having their lunch when it is the sun shining being passed there I always had an envy of that... ..I walked past [university] Square and it was the start of the good weather a couple of weeks ago and I was like I'm going to be sitting there, all of that envy that I had, that is going to be me, I'm going to be sitting out there' Frances, peer mentor.*

The university square was symbolic of her outsider status in the 'community'. Although right in front of her it was not a space within which she could belong or occupy. Through completing educational courses and her peer mentor role Frances has secured a placement at the university of her choice, the one that she had admired as an outsider. It is through entering the field of education, Frances can partially exit the penal field and start to shed the labels of criminalisation.

The use of an 'imagined elsewhere' allows us to understand the confining role of the local neighbourhood in these women's lives. Punishment and criminalisation are felt through every part of the women's day-to-day lives and the spaces within which these play out. The only way to live life without the constraints of punishment and labels of criminalisation is to completely remove themselves from that space. As punishments end and the individual starts to build social capital within the penal field through peer mentoring, she is also able to accrue capital that is transferable to other fields through educational courses. This process allows her to have aspirations that take her to spaces where she can live without punishment and criminalisation.

### *Not managing trauma*

Within this study, all the women gave clues that pointed to trauma experienced within their narratives. Those individuals with histories of



trauma often described themselves as not being the same person as they were before the traumatic experience (Brison, 1999).

*'That's what it is, isn't it? You lose, ... you feel like you have lost everything. There's nothing left, nothing left of you'. (Jessica, peer mentor)*

In this quote, Jessica is reflecting on the immediate aftermath of attending court and becoming subject to punishment. She felt that not only had she lost the life she had been building (such as her university place and part-time job) and lost connections with friends and family, but she had also lost herself. Sarah similarly described losing the person she was before criminalisation - *'I'm not that person anymore'* - and having to start again, not only in a practical sense but developing herself as a new, different person. Annie also talked about the struggle she felt trying to re-establish herself as the person she was before criminalisation: *'I'm still not the person I used to be'*. While she had not completely ruled out the possibility of regaining her previous status, she later conceded that she probably would never be the same person again.

These statements echo the words of individuals affected by trauma in different settings. Brison (1999: p.39) highlights war veterans saying, "I died in Vietnam", and rape survivors reflecting on how they will "always miss myself as I was". Considering oneself a different person, or forever changed, is how trauma performs an undoing of the self. This breakdown or disruption in memory, a radical disconnection of the past from the present self, is a side effect of the undoing of the self that is initiated within the unbearable helplessness of a traumatic event (Herman, 1992; Brison, 1999). This also typically manifests in the inability to envision a new future (Brison, 1999).

**Dear future me..**

living day to day . you will  
be able one day to see a  
future and be happy.

Figure 24 Dear future me letter. Shannon, unpaid work.

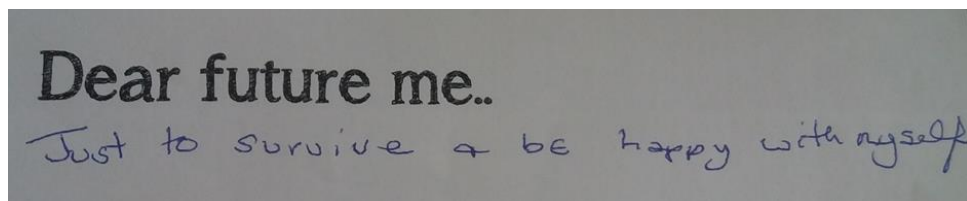


Figure 25 Dear future me. Tracy, unpaid work.

Shannon's letter to her future self (fig. 24), and Tracy's Dear future me letter (fig. 25) both demonstrate this inability to look towards the future.

Tracy is in her early 50s. She is currently subject to unpaid work and probation supervision for an undisclosed offence. Tracy opted not to participate in much of the data collection but did contribute to the data analysis. As such, little is known about her life. However, she did demonstrate an agreement with many of the other women's life experiences, particularly around experiencing domestic abuse, isolation, and poor mental health. Tracy struggles to take part in many of the activities but decides to remain as part of the research process.

They both struggled to find anything to write within the letter. While other women chose to use the space to picture an imagined elsewhere (see fig 19 & 20, Amy and Sophie's 'Dear future me...' letters), Tracy and Shannon commented that they just didn't know what to write, they don't think about tomorrow and were just trying to get through the day. With this in mind, how could they write to a future version of themselves that they could not imagine existing. I asked if they felt comfortable reflecting that in their 'Dear future me...' letters. The process of writing their thoughts down, with the visual prompt of space on the page, meant that they elaborated slightly in their letters; Shannon stated to herself that one day she would be able to see a future for herself and be happy, with Janine offering some thoughts about what she may be aiming towards.

Shannon's letter to her future self and the lack of narrative detail found in her map (fig 26) indicated the trauma she may have been attempting to manage. In her map, Shannon splits her life into two halves. On the side that has 'her life', she pinpointed traumatic events, such as domestic violence, community service and attending family court. She also identified some of the services she was interacting with to deal with these traumatic moments.



Shannon talked about her life in self-deprecating and derogatory terms, visibly labelling her and her family 'The Clampett' on her map. This referred to a television family who are poor, uneducated and viewed negatively or a point of ridicule. By labelling herself this way it showed that she had experienced and internalised negative stigma across her life course through growing up in poverty and not necessarily fitting in with normative societal demands. By ridiculing herself she used humour as a defence mechanism and as a way of processing the hurt and trauma she had experienced as a result of that early stigmatisation. Criminalisation, and the labelling processes involved, were just another point where the negative labels applied to her and her family from her early childhood became reinforced.

All of Shannon's contributions to the photo-elicitation and data analysis involved her offering detached opinions about what the photographs could mean and making jokes about the situations depicted in the photographs, rather than connecting the images to aspects of her own experience and narrative as most of the peer mentors had done.

The lack of narrative in Shannon's contributions to the research showed that she had yet to re-build a consistent narrative about her own life experiences. Yet the use of humour suggested that she was making early attempts to manage trauma/s through humour. The trauma that Shannon experienced through criminalisation, domestic abuse, and poverty interrupts her ability to reflect on her experiences, therefore she cannot offer a consistent narrative about her life. Individuals with experience of trauma struggle to retell their experiences in a way that makes sense to others, this is explained as an undoing of the self that is caused by trauma (Herman, 1992). Shannon's inability to offer a clear consistent narrative about her life, including how her life relates to law-breaking and punishment, influences her interactions with the criminal justice worker and her probation officer as she reports that they 'don't understand her'.

Like Shannon, Betty was another women's centre attendee who struggled to manage trauma. Betty attended regularly, despite her order having ended. She talked about making sure she came to the women's centre twice a week as that was her routine when she came for unpaid work and to see her probation officer. Betty had a personal biography that was punctuated by traumatic events, beginning with her teenage sister dying of cancer when Betty was in her early twenties.

Betty is a frequent attendee at the women's centre but is no longer subject to punishment. She was sentenced to a community sentence for benefit fraud. She is in her late 30s and has two children. She is currently in a relationship with a younger man. She describes previous relationships as abusive and talks about her current partner as controlling. She describes how he often is fed up with her as he says she dwells on the past too much. Betty says she is depressed and has complex mental health issues since the death of her teenage sister during her early 20s. She states that she has never really gotten over it and is on a waiting list for counselling and CBT therapy.

Betty shared the photographs that she took in one long narrative; she did not feel that she could discuss them as part of a group. What became apparent quite quickly was how her grief about her sister was represented in the images. At face value, Betty's images appeared to show an interesting life, with lots of hobbies and interests. However, when Betty began to discuss the images, she identified that the objects she has chosen to display belonged to her sister and she had held on to them after her death.

*'Nicola (researcher): So it looks like you have lots of interesting things here, can you tell me about them?*

*Betty: Oh they aren't mine, they are my sisters'*

One item she displayed was a camouflage jacket (figure 27) that belonged to her sister. Another image was an iron maiden CD (figure 28). Betty took a photograph of this because she said she listens to her sister's music to feel close to her again when she feels down. How Betty discussed the items as her sisters were puzzling at first, as it was hard to tell that she



Figure 27 Sister's jacket





Figure 28 Sister's music

had died many years earlier. Betty still talked about her and her likes and dislikes as though they still lived together. It was only after a while that Betty explained she had died and that she keeps her things displayed in her memory. She was clear that these were not items she used at all, such as the jacket, but they were nonetheless very precious to her.

After the analysis session I write in my research notes:

*Today's session was extremely emotional. Betty was crying, and I also struggled to stop tears. Betty has not got over her sister's death, she is still living that grief every day.*

Betty did not laugh or find any dark humour in any of the events that had occurred. She also did not offer an alternative future for herself or talk about her narrative through an alternative other. Indeed, she barely discussed her own story before sentencing and punishment, and whilst she could articulate her experiences of punishment well, discussing various events or incidents that stood out in her short-term memory, she struggled to make connections between punishment and the rest of her life.

*'I'd like to do a little something you know, I spoke to them about that their peer-mentoring, and I think I'm going to do the training, but I don't know if I can do the job'. (Betty, women's centre attendee)*

Despite Betty finishing her community order, she continued attending the women's centre. Although she stated that she would like to move on to complete a course or do something new, she described her life as a barrier to this.

## *Conclusion*

Gender-based oppression within a patriarchal society means that trauma punctuates the everyday lives of women. For women subject to community punishment and probation supervision the process of becoming criminalised - arrest, processing through the court system, receiving a sentence, being named in newspapers, and attending the women's centre for punishment – combine to produce yet another separate traumatic event within their

already traumatic lives. Whilst the process of criminalisation may appear to be gender-neutral, women's relationships with men play a significant part in both the criminalisation of women and the production of trauma. The women in this study demonstrate, in various ways, the role of trauma in their criminalisation, and the traumatising effect of the criminalisation process itself.

This research shows that during the process of punishment and supervision within the community, women are expected to visibly manage their trauma. The management of trauma, concerning criminal justice processes, is the measurable engagement with treatment programmes that address various factors responsible for the production of trauma; such as domestic violence awareness courses. However, criminal justice practitioners are continually recording and assessing behaviours to manage risk. It is due to this surveillance that the management of trauma becomes more than engagement with courses of treatment, but a demonstration of the self as a safe, secure, and adjusted individual to reduce the perception of risk related to mental instability. The management of trauma during community punishment and supervision manifests in the use of humour, and the use of the imaginary other/imagined elsewhere.

The use of the imaginary other and imagined elsewhere are key in the process of managing trauma. The imaginary other serves as a way of discussing the painful realities of life without imposing these negative images and narratives on themselves. This is eventually phased out as punishment ends, with those no longer subject to the traumatic effects of initial criminalisation able to take ownership of their experiences, separating the traumatic experience from the self. The imagined elsewhere serves as a mechanism to survive the trauma of criminalisation, by imagining space and time where the oppression of punishment and negative labelling implicit with criminalisation is no longer applied to them.

During community punishment, the experiences of punishment and criminalisation are so entwined with their day-to-day lives that the only way for the women to think about it ending is through imagining a complete change to their day-to-day lives. For example, they imagined communities that were accepting of them. After punishment ends, and recovery from trauma progresses, the need to imagine elsewhere becomes less vague and is reimagined as occupying spaces that had previously been unavailable to them, such as Frances starting university. Writing a letter to their future selves demonstrates how the ability of the women to both reflect and think forward is impeded by experiencing trauma, compromising the ability to gain the knowledge needed to demonstrate desistance until steps have been made towards the recovery from that trauma.

The trauma is entwined with the experience of criminalisation, yet the ability to manage trauma is a key aspect of enduring punishment within the community. However, it is not simply a case of overcoming trauma that leads to crime-free futures. The management of trauma cannot be understood fully without considering how women subject to community supervision also need to demonstrate gendered characteristics of 'desistance' to successfully negotiate 'justice' without experiencing further criminalisation. The next chapter will identify and fully explore gendered characteristics of desistance that, in combination with managing trauma, produce a dynamic rethinking of, and challenge to, existing desistance theories.

## **Chapter 6: Demonstrating 'desistance'**

The process of criminalisation has both physical (through the surveillance or confinement of punishment) and psychological implications; manifesting as trauma. On sentencing from the court, the (re)criminalised individual becomes the focus of supervision by formal agents of social control from various institutions within the CJS. The aim of this supervision - whether to punish, deter, or rehabilitate - is up for debate. However, under current models of probation practice, supervision is predominantly utilised to assess and reduce the risk of re-offending (McNeill, 2006). To accomplish this task, prison officers, probation staff and deliverers of community service observe, interview, and collect information about the women's lives, development, thought processes, and motivations. Whilst this initially appears to be a one-sided collection of knowledge about the criminalised woman, she is not passive in this process. She is also observing and collecting knowledge which will help her negotiate punishment. It is during this exchange, whilst engaging with the criminal justice services that form the penal field, the women develop and mobilise specific strategies that aim to lessen the power felt through being considered at high risk of reoffending. This chapter will consider the experiences of the women in this study in comparison to existing theories of desistance and evidence how the criminalised women displayed key gendered attitudes, behaviours, and actions to demonstrate behaviours that signalled individual change or 'reform' that helped accrue the symbolic capital of desisting from crime.

### *Desistance theories*

Desistance, put most simply, is ceasing from committing crime (Laub & Sampson, 2001). Desistance theory is not one agreed theory of how lawbreakers stop committing offences, but rather a collection of theories that seek to understand why those with a history of criminal behaviour no longer commit criminal acts. Despite multiple theories in existence, very little research has focused on female desistance, with studies either concentrating entirely on male samples or including a small number of

women. While a few studies have examined female desistance explicitly, there is little consensus amongst them as they have produced contradictory findings (Sommers, Baskin and Fagan, 1994; Giordano, Cernkovich and Rudolph, 2002; Broidy and Cauffman, 2006; Kreager, Matsueda and Erosheva, 2010).

### *Desistance and interpersonal relationships*

Laub and Sampson (2001) propose that desistance occurs through specific turning points in individuals' lives as they transition to adulthood. Examples of such turning points are often considered as gaining employment or getting married. Here 'the love of a good woman' is often stated as the point in which men begin to desist; interpersonal relationships and the formation of meaningful bonds promotes informal social controls that reduce reoffending (Laub and Sampson, 2001). Broidy and Cauffman (2006), using a historic sample similar to Laub and Sampson (2001), also concluded that social capital, such as that found in marriage or motherhood, is a key determining factor in desistance for women with convictions. Whereas Kreager et al. (2010) found motherhood, rather than marriage, led to desistance among a sample of high-risk women from Denver.

In stark contrast to these studies, most of the women in this study discussed their relationships with men as direct influences on their criminalisation, with none identifying their current relationship as having a role in their personal progress and desistance from crime. For example, Frances referred to her younger self as a 'gangsters moll'; having got involved in the supply and distribution of drugs via her relationship with men who had exploited her position within the entertainment industry. It was by ending relationships and learning to "be ok on her own" that she was able to build a life without further law-breaking. Similarly, peer mentors Sarah and Jessica both reflected on the role of their male ex-partners in their criminalisation.

*Sarah: Yeah, yeah. It's not a regret. Because I did nothing to regret. It just fills me with anger, because it [clarify what] was not something*

*that should ever have happened. It was something I wasn't solely guilty of.*

*Jessica: YEAH! Sorry, that was a bit enthusiastic, but that's how [I feel]. ... I don't feel I was solely [to blame for my offence]. He had a part to play. My ex-partner spent my benefits just as much as I did.*

In this exchange, Sarah and Jessica are reflecting on the actions that led to their criminalisation. Sarah and Jessica were both convicted of benefit fraud, in particular claiming single parent benefits whilst having a partner. For both, the offence could not have occurred without the presence of the male partner. Throughout the research, both Jessica and Sarah described what would now be considered coercive and controlling domestic abuse relationships under section 76 of the Serious Crime Act (2015). The Act formally recognises coercive behaviour as an act of assault, threats, humiliation and intimidation used to harm, punish or humiliate a partner; and controlling behaviour as acts designed to make a person dependent through isolation, exploiting their resources for personal gain, and depriving them of independence and regulating their everyday behaviour. Whilst they both described relationship contexts that clearly fit with this legislation, and which now may be taken into account on sentencing, their offences and subsequent criminalisation occurred before this legislation was in place. As such, there is no consideration of the influence these relationships had on the women's law-breaking behaviour during the court process. The damaging nature of the relationships with their male partners was also given little attention post-sentencing, particularly for Jessica who had to wear an electronic tag as part of her community sanctions post-release from prison which was linked to the address of her abusive partner (for further discussion of this see Chapter 5).

### *Desistance as ageing out of crime*

Gottfredson and Hirschi (1990) assert that 'offenders' frequently show issues with low self-control. They state that as lawbreakers mature, they build a greater level of self-control. This shares similarity with Laub and Sampson's (2003) theory of adult transition in that it relies on the passage

of time, but it does not rely on specific turning points; rather the key is the age of the individual. Shover and Thompson (1992) also point to ageing as the key catalyst in abstaining from further law-breaking. However, they state that law-breaking becomes a less rational choice and that over time, experience and ageing reduce the benefits of law-breaking. For Shover and Thompson (1992), individuals perform a cost-benefit analysis before choosing to break the law. As such, people will show a preference towards law abiding behaviour as they age, because the cost of punishment outweighs the benefit of the crime for an older person, with an assumed level of accrued social, economic, or cultural capital at risk through punishment.

All of the women in this study were over the age of 22, with the oldest women in her mid-late 60s. None of the women reported any involvement with youth justice services. For all but two of the women, the current contact with the CJS was the first point of formal criminalisation in their lives. Christie is an example of an older first time 'offender' within this study. As a woman in her 50s, Christie showed the trajectory of her life through her map (Fig. 12). On it she detailed where she was born, the schools she went to, with her first negative experiences being bullied in high school. She met her husband shortly afterwards and settled into married life, having two sons. Christie's life contradicts desistance theories that point to law-breaking as an activity primarily starts in youth, and subsequently decreases with age. When we consider Christie's account of her offence - which she described as an emotionally charged outburst in which she just 'snapped' and 'saw red', breaking the door to her own house to gain access - it is clear that Christie had not undertaken a cost-benefit analysis in relation to her law-breaking behaviour.

Annie (fig 29), a volunteer at the women's centre, was also in her 50s and produced a similar map to Christie's in that her first offence had been in later



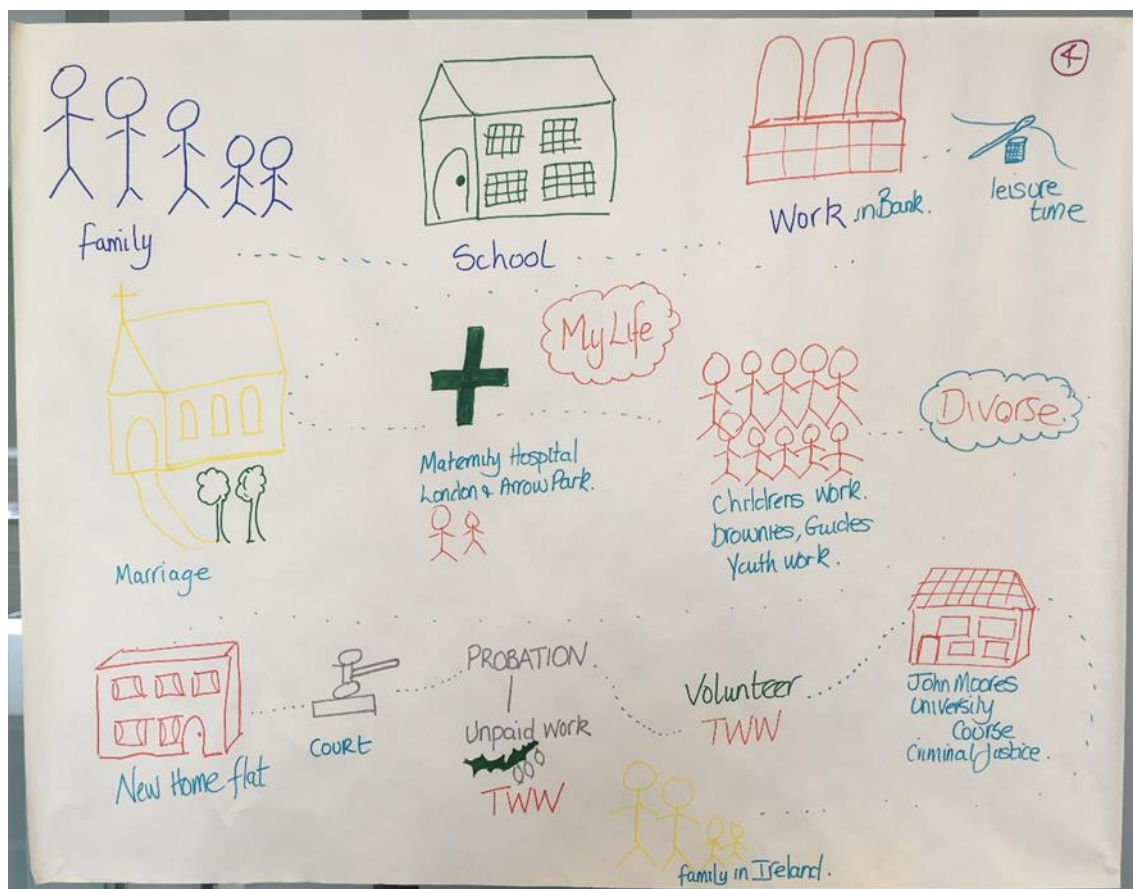


Figure 29 Map. Annie, volunteer.

life. Annie's life course demonstrated a linear transition to adulthood that included marriage, having children, and then a divorce. Like Christie, she had not been in trouble in her youth and had lived a life that would not be considered as at risk for criminal behaviour. It was also apparent that Annie, like Christie, had not weighed up the costs and benefits of breaking the law. As such, for both Christie and Annie, their age and biographies before the episode of law-breaking meant that they could not desist through either adult transitions or maturity, and they both had more to lose than gain at the time of their law-breaking.

### *Desistance as identity change*

Whilst adult transitions and maturity have been highlighted as key to the process of desistance, Maruna (2001) instead focuses on identity change, proposing the use of a narrative life course approach to better understand subjective changes to offenders' world views prompted by life events, such as becoming a parent (Burnett, 1992), reflecting on negative experiences of crime (Cusson and Pinsonneault, 1986), or the feeling of shame attached to previous offending (Leibrich, 1993). Maruna (2001) identified that the constitutive narratives of 'offenders' (persisters) and the 'reformed' (desisters) differ significantly. Those considered reformed develop a 'redemptive script', attributing criminal behaviour to external structures or events out of the offender's control (Maruna, 2001, p. 73). With outside forces helping the individual to escape patterns of crime and punishment, the individual then 'makes good' by engaging in restorative activities (Maruna, 2001; Healy, 2010). In contrast, those who persist in offending develop a 'condemnation script', perceiving their ability to change (i.e. desist from crime) in a pessimistic light.

Some of the women within this study demonstrated narratives similar to those suggested within Maruna's (2001) theory of desistance. For example, some of the women within the peer mentoring group who were reasonably new to the peer mentoring process (i.e. they had recently completed their

punishment and were in the process of transitioning out of a service-user role into a trainee practitioner role as a volunteer mentor) showed an affinity with the notion of a 'redemptive script'. A key part of the redemption script is the influence of an outside person or agency that 'saw the good' in the offending individual, which allowed them to see themselves as a good person, and thus turn their lives around (Maruna, 2001). In line with the redemption script, Jessica attributed her personal development and success in applying to university to the belief that the peer mentoring charity had in her.

*'Without them, I don't think I would be the stronger person that I have become today, and I certainly don't think I would be in university. I would never have had the courage to go through the university process without the support of [peer mentor charity]'.  
(Jessica, peer mentor)*

In contrast, some of the other peer mentors who were 'further away' from punishment rejected redemption narratives. These women recognised both their role and the assistance of the peer mentoring charity, in overcoming some of the structural barriers they had faced since becoming criminalised.

*'[Peer mentor charity] was the foundation that gave you the step, but it has obviously come from within hasn't it? Because [they] can be there and if you're not ready like some of the clients that we have ... you know you're not, it is when you're that light bulb moment when the switch you know'. (Frances, peer mentor)*

The mature peer mentors did recognise that the criminalised individual needed to be ready to receive support from the interventions to progress through the penal field. Whilst Frances describes this as a lightbulb, group discussions described this as having the ability to receive help. This ability was not based on internal factors such as identity, but that some people are 'not in the right place'. This phrase was often used as shorthand for the inability to overcome more structural and practical concerns, such as still experiencing an abusive relationship, or suffering from an addiction.

It was apparent that the peer mentors who were temporally further away from punishment had had more time for self-reflection, and as such, appeared to offer a more sophisticated critical analysis of their situation. Thus, they rejected narrative scripts that focused solely on identity change, in favour of acknowledging the interplay between structural factors and their agency. This is in part due to their habitus within the penal field. The 'desistance' capital they had accrued in the journey from 'offender' to peer mentor allowed them a certain amount of freedom to reflect and voice their experiences in ways that they would not have been able to whilst subject to probation supervision; precisely because it would have undermined the very demonstration of desistance required to accrue this symbolic 'desistance' capital.

Other theories that promote internal change focus on cognition rather than identity. Extraversion (Malthus, 1969), sensation-seeking (White, Labouvie and Bates, 1985), and impulsivity (Farrington *et al.*, 2006) are all determined to be over-represented amongst the criminalised. Norton (2012) highlights the way motivational interviewing and the 'cycle of change' (Prochaska, DiClemente and Norcross, 1992) is used by probation practitioners to promote desistance through cognitive change (for further discussion of this see Chapter 7). There was little evidence of these theories present in the narratives offered by the women in this study. The women in this study focused their narratives in ways that would assist in accruing further desistance capital within the penal field rather than signifying cognitive change.

### *Measuring desistance*

Those theories of desistance that go beyond simply ageing out of crime (Gottfredson and Hirschi, 1990; Laub and Sampson, 2001, 2003) are inextricably linked to change in either identity (Maruna, 2001) or ways of thinking (Malthus, 1969; White, Labouvie and Bates, 1985; Farrington *et al.*, 2006). This means that for desistance to occur there has to be a fundamental

change to the individual in question. However, the women in this study often rejected the notion of having to change as a person.

*‘that process does not define me I will not let it, I am not a bad person, what I did was... it wasn’t me solely and it is not me as a person, I am not that person’. Sarah, Peer Mentor.*

Sarah firmly asserted that the structural conditions surrounding her were key factors in her offence, without which she would not have offended. She did not recognise herself as an individual in need of saving but rather someone who had been getting through life the best way she could; which in this instance had involved breaking the law. She did not need to change as an individual, and she didn’t see herself as the person she was labelled as on criminalisation. Sarah was able to openly discuss her experiences and thoughts about why she became criminalised in this way due to the position she now held as a peer mentor no longer subject to probation supervision.

The women in this study demonstrate how the narratives of some women during some stages in punishment can be thought to confirm various desistance theories as gender-neutral. However, only a small minority of the women in this study discussed their experiences in a way that validates existing desistance discourse. The characteristics of desistance and reform, and how women can talk about their experiences, differed depending on the stage of punishment they were at, and the length of time that had passed since the end of that punishment. Yet within risk calculations, characteristics of reform are viewed as static and measurable, without the required fluidity necessary to accurately reflect the lives of individuals in the CJS. Because theorists have highlighted how desistance from crime is ‘not an event that happens, but rather it is the sustained *absence* of a certain type of event (in this case crime)’ (Maruna, 2001, p. 17), practitioners have ‘translated’ desistance theory into a series of behaviours or characteristics that make the process of desistance both visible and measurable.

Practitioners now understand what desistance - a notion that is difficult to observe and impossible to measure - ‘looks like’. These visible desistance

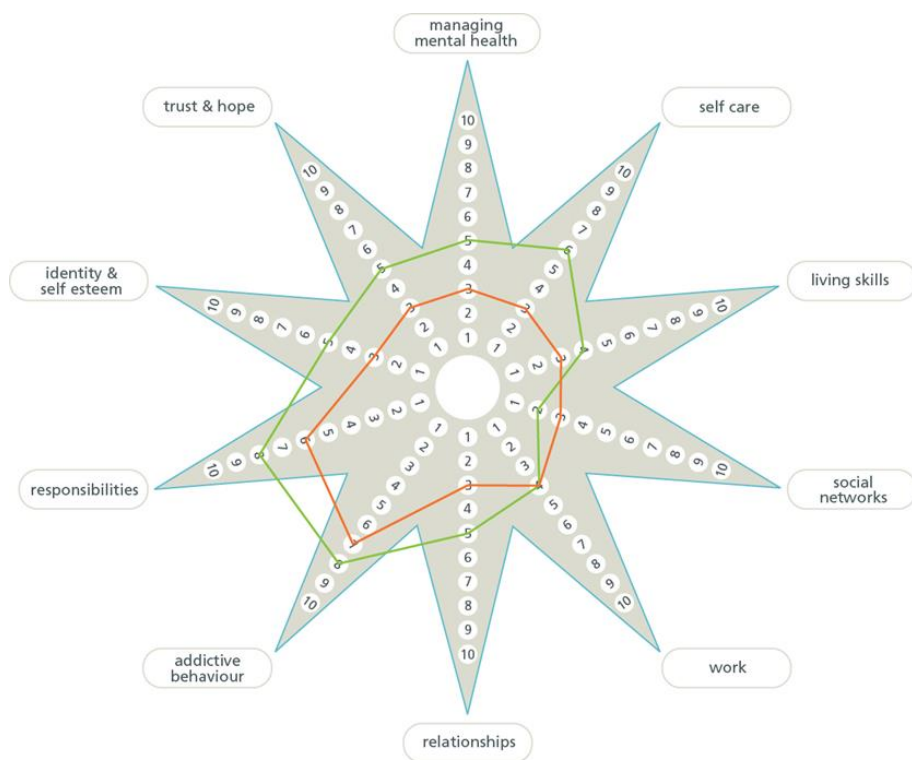


Figure 30 Example of an 'outcome star' completed twice (MacKeith, 2011:3)

characteristics become embedded within risk calculations, as signifiers of genuine internal change that can lower the risk profiles of those under supervision. 'Desistance' characteristics are often measured within women's centres and other organisations by using an outcome star to assess an individual's perception of several structural and behavioural areas of their own lives. Assessed in a co-produced way, criminalised women are asked to select a number from 1-10 that represents how good or bad they feel about each particular area. These are completed at regular intervals and used to measure progress (MacKeith, 2011).

Figure 30 demonstrates an outcome star that has been completed twice. Each of the points of the star addresses an area associated with the risk of re-offending. On a 'justice star,' these points address accommodation, living skills & self-care, mental health & well-being, friends & community, relationships & family, parenting & caring, drugs & alcohol, positive use of time, managing strong feelings, and a crime-free life (MacKeith, 2011). The scores from each of the points are then used to assess the individual's risk and attitude towards their 'offending' behaviour. Through working closely with their probation officers and criminal justice practitioners, criminalised women receive signals about how they should, or should not, behave in order to be judged as desisting from crime. The benefit of demonstrating desisting behaviour is a reduction in an individual's risk profile, which can lead to a reduced amount of supervision i.e. from weekly meetings with a supervisor reduced to fortnightly or even monthly meetings when considered low risk of reoffending. The 'risk of reoffending' of any individual is based on both fixed factors, such as age and gender, or dynamic factors such as marital status, housing and observations of individuals attitudes during supervisions.

### *A desistance paradigm for probation practice*

McNeill (2006) asserts that desistance should now be rooted in probation supervision practice.

‘Put simply, the implication is that offender management services need to think of themselves less as providers of correctional treatment (that belongs to the expert) and more of supporters of desistance processes (that belong to the desister)’ (McNeill, 2015, p. 46).

McNeill’s (2015) desistance paradigm for probation practice embeds desistance theory within probation and criminal justice practice, considering how theoretical developments in the field of desistance can usefully inform practices that facilitate some of the processes of change identified in desistance theory. As evidenced in table 3, how probation practice has been imagined and practiced has changed significantly over time as the CJS has become professionalised and increasingly managerial (McNeill, 2015). The introduction of a desistance paradigm takes the emphasis off the managerial and risk-related practices of probation practitioners, almost erasing their status as facilitators of punishment, and instead transforms them into facilitators and observers of change.

For the practitioners in this study, the transformation from inflicting punishment to facilitating change was less clear cut as most of the practitioners had not had careers in criminal justice before becoming criminal justice practitioners within the research setting. Nat, for example, had previously been a personal trainer. Her experience of motivating women to change was, in her view, a transferable skill that she could use in her current position as criminal justice worker. However, the lack of criminal justice-specific education and/or vocational experience meant that she showed little attention to structural oppressions; often prioritising agency, with little regard to structure.



	<i>Becomes</i>	<b>Non-treatment Paradigm</b>	<i>Becomes</i>	<b>The Revised Paradigm</b>	<i>Becomes</i>	<b>'What Works' Paradigm</b>	<i>Becomes</i>	<b>A Desistance Paradigm</b>
Treatment	<i>Becomes</i>	Help	<i>Becomes</i>	Help consistent with a commitment to the reduction of harm	<i>Becomes</i>	Intervention required to reduce reoffending and protect the public	<i>Becomes</i>	Help in navigating towards desistance to reduce harm and make good to offenders and victims.
Diagnosis	<i>Becomes</i>	Shared assessment	<i>Becomes</i>	Explicit dialogue and negotiation offering opportunities for informed consent to involvement in a process of change	<i>Becomes</i>	Professional assessment of risk and need governed by the application of structured assessment instruments	<i>Becomes</i>	Explicit dialogue and negotiation assessing risks, needs, strengths and resources and offering opportunities to make good.
Clients dependent need as basis for social work action	<i>Becomes</i>	Collaboratively defined task	<i>Becomes</i>	Collaboratively defined task relevant to criminogenic needs, and potentially effective in meeting them	<i>Becomes</i>	Compulsory engagement in structured programmes and case management processes to address criminogenic needs.	<i>Becomes</i>	Collaboratively defined tasks which tackle risks, needs and obstacles to desistance by using and developing the offender's human and social capital.

Table 5 Rethinking the non-treatment paradigm, 'what works', and desistance paradigm (McNeill, 2006:44; Raynor & Vanstone, 1994:40)

### *Signalling desistance*

Whilst under the supervision of probation officers, and the wider network of criminal justice practitioners present within the women's centre, the women were frequently reminded that all areas of their lives were under constant supervision. The goal of such intense scrutiny was to observe indicators that demonstrated that the criminalised women were transforming into reformed characters; that they were desisting from crime. However, there are several conceptual problems with the notion of desisting from crime. There are arguments around how much time must pass before an individual can be considered to have desisted, the differences in desistance for those with one offence versus multiple offences, determining 'genuine desistance' from 'false desistance', and whether or not interventions even influence an individual's desire or capability to desist (Barnett, Blumstein, & Farrington, 1989; Baskin & Sommers, 1998; Farrington, 1986; Laub & Sampson, 2001; Stall & Biernacki, 1986). Alongside these problems, feminist criminologists are highly critical of the usefulness of desistance theory, with its over-emphasis on the individual rather than acknowledging the structural influences that are unique to criminalised women's lives (Baldry, 2010; Farrall, Mawby, & Worrall, 2007; Gelsthorpe & Wright, 2015).

As previously discussed, women do not need to break the law or be subject to official sanctions and punishments by the CJS to be considered 'deviant' (Carlen, 1983b; Chadwick and Little, 1987; Faith, 1993). As such, and particularly for women, desistance becomes less about ceasing law-breaking and more about the appearance of a (re)commitment to the norms of patriarchal society. Women who break gender norms are found to be 'offensive to the dominant discourses which define, classify, regulate and set penalties for deviance' (Faith, 1993, p. 1). Therefore, desistance for women does not comprise of simply ceasing from offending but also ceasing the appearance of their supposed rejection of femininity that has been assumed through taking part in the 'masculine' activities of rule-breaking and deviance.

Maruna (2012) noted how “signs of desistance” are used by criminal justice practitioners to assess risk. However, as asserted by Attrill and Liell (2007), these ‘signs’ are viewed by prisoners as factors that they cannot change, that are out of their control, or that they simply cannot change an ‘expert’s’ opinion about them. “They do not understand or agree with the criteria on which they are being assessed” (Maruna, 2012, p. 75). The key difference, though, between this study and Attrill and Liell’s (2007) study of male prisoners is that, whilst the male prisoners objected to how they were being assessed, the women in this study did not voice any objection. Instead, to varying degrees of success, they behaved in ways that signalled or demonstrated characteristics of reform and desistance.

Bushway and Apel (2012) ‘focus on allowing individuals to identify themselves credibly as desisters, rather than on trying to *cause* desistance explicitly’ (see also Freeman, 2008; Maruna, 2001: 155–164). The social processes that are involved in allowing individuals to credibly identify themselves as ‘desisters’ can be viewed in the way criminalised women negotiate the controlling relationship between themselves and the CJS. The rewards for a successful display of desistance include distancing oneself from the label of ‘offender’, occupying a liminal space between ‘offender’ and ‘respectable’, and as such, reducing the level of risk perceived by the probation worker. This risk reduction can offer rewards, such as an application to end the supervision requirement early, or simply to reduce the amount of contact required to fulfil the sanction of supervision. These rewards have the potential to impact the day-to-day lives of criminalised women significantly and are worth the effort of demonstrating desistance to achieve.

This research identified gender-specific characteristics that are considered to be indicators of a reduction or absence of risk posed by the criminalised women. These are the characteristics of ‘female desistance’. It is by observing, measuring, and evaluating these characteristics that the practitioners become facilitators and observers of perceived change. When

these characteristics are recognised as desirable and enacted by the criminalised women, then they can build their social capital within the penal field. The next section will explore the gendered characteristics of 'desistance' present within this study.

### *Characteristics of female 'desistance'*

Gender is performative (Butler, 1990). This performance rests on behaviours that are appropriate and consistent, learned through social conditioning which is accessed via cultural discourses (Butler, 1990). Lawful and/or desisting behaviour is performative in similar ways. We are socialised and conditioned to understand what 'good' and 'bad' looks like and emulate such behaviours; over time such judgements become written in the law, reinforcing the good/bad narrative through rules and sanctions. Such cultural discourses are dependent on an individual's social and cultural positioning, which, through engagement, perpetuate and reinforce cultural gendered norms (Butler, 1990). Performing gender becomes less of a choice, with Butler (1990) calling it 'reiterative'; as such, there are penalties for performing gender incorrectly (e.g. Bordo, 1993; Butler, 1990; Krane et al., 2004). As dominant forms of femininity are bound with respectability and lawful behaviour, one of the penalties for performing gender incorrectly for women is criminalisation.

Through the institutional processes of evaluation, risk assessment, and surveillance, combined with the role of the practitioner in demonstrating and communicating approved and 'respectable' behaviours, key characteristics of female desistance are communicated to women subject to community punishment. These characteristics include prioritising motherhood and the home, family and relationships, and physical and mental health. These characteristics are communicated by the practitioner, manifesting themselves as identifiable actions and behaviours. However, such behaviours are not necessarily new actions, but ways of demonstrating a (re)commitment to desirable societal values which are informed and bound by class, race, ethnicity, religion, and gender (Skeggs, 1997).

Judgements categorizing the respectability (or not) of women have been focused on the behaviours of the working class since the nineteenth century; including the organisation of women's homes, their childcare practices, and the control they exerted over other members of their family (Nead, 1988; Finch, 1993; Skeggs, 1997).

'Respectability was the means by which morality was made public and seen to be an object of knowledge. Respectability embodies moral authority. Those who are respectable have it, those who are not do not. But only some groups were considered to be capable of being moral, others were seen to be in need of control' (Skeggs, 1997, p. 3).

The signalling of desistance is to signal characteristics of respectability, so that the women may be viewed as women no longer in need of control.

The 'Dear future me..' letters used within this study offered an opportunity to understand the criminalised women's thought processes concerning the future. For many of the women, the letter proved an opportunity to show aspirations towards respectability. Sophie's letter (figure 31) showed hope for overcoming structural barriers through work, presenting a renewed commitment to caring responsibilities, and the desire for positive romantic relationships; which she hoped would ultimately lead to reform and happiness. Sophie showed that, despite struggling to see beyond her immediate circumstances, she was already beginning to display characteristics of female 'desistance' behaviours through the desire for a career, caring responsibilities, and happy relationships.

## Dear future me..

At this point in time I am unable to think much about the future things still remain quite black but some thoughts I am aiming for

- to have a new career.
- to have successful happy children
- Happy Relationship
- And to like myself again

Figure 31 Dear future me letter. Sophie, unpaid work.

Within this letter (Figure 31) Sophie recognised that the stage she was currently at meant she could not demonstrate desistance via her actions. Her inability to imagine the future showed that she was still experiencing the trauma imposed throughout the criminalisation process; mentally she was stuck. However, she added the bullet points below her initial statement as she identified that she needed to show a desire for specific achievements to be considered as 'on the path' towards reform.

Sophie presented herself as aspiring towards the values of a 'respectable' woman, as such, she was displaying desistance. Rather than focus on one area, she demonstrated a desire to achieve all the aspects of a respectable woman; the woman that 'has it all' – a happy relationship, career, family. The letter demonstrates how desistance narratives as understood by practitioners, and notions of middle-class femininity as reforming characteristics, become muddled together when understood by the criminalised woman.

Characteristics of desistance, such as forming romantic relationships and securing employment stem from the life course model proposed by Laub, Nagin & Sampson (1998), within which the structural bonds of marriage and employment are viewed as adding informal social controls that offer emotional support and informal monitoring (Healy, 2010). However, contrary to the positive view of these informal social controls by desistance theorists, relationships were found to be a significant element in the process of criminalisation for most of the women in this study (see chapter 5 – criminalisation and relationships).

For many, criminalisation occurred as a direct result of relationships with men that often-included domestic violence and coercive control. It is, therefore, puzzling that women who have had negative previous experiences of romantic and familial relationships display a desire for 'traditional' relationships.

*Jessica: When I think back on my life, I'm not sure if I feel gutted that it didn't work out the way I wanted it. Although I love the partner that I'm with now, I adore him. I sometimes think, why can't I just have that life with the kid's dad? Why couldn't it work out like that for me? Why couldn't it have just been Mum, Dad, and dogs, and kids? Instead of...*

*Frances: 2.4 children type of life?*

*Jessica: Just everything I've ever wanted.*

In this interaction Jessica considered her need to replicate a 'traditional' family, despite the breakdown of her relationship with the father of her children. In recognising the desire for a '2.4 child type of life' she is displaying a desire for forms of normative feminine values that she is unable to obtain, due to the experience of domestic violence within her previous relationship with the father of her children. Trauma can stem from painful separation and loss (Herman, 1992). In demonstrating a desire for the type of family she cannot have - in order to demonstrate desistance characteristics - Jess is reliving the pain and trauma of loss.

*'Trying to make a family out of what I have left. I don't live with my partner, he lives on his own, and he lives with his kids. It's not like we are a family, we have separate lives. He has his family with his kids, and I have my family with my kids. And I feel like I'm trying to make this family with just me and my kids. There is something missing – it's the dad'. (Jessica, peer mentor)*

The display of desire for settled relationships cannot be removed from the role of relationships within a 'traditional' family unit, and how motherhood is used as a mechanism for social control and measurement of reform. A key motivation for displaying desistance through settled relationships is the perception of stability that a father gives to the family unit. This is a recognition of how single mothers face an additional form of labelling (Carr and Cowan, 2006). In order to become a 'respectable' woman, they must desire to become both a 'good' wife and mother (McRobbie, 2015).

### *Motherhood & reform*

Motherhood is an area of women's lives that incurs surveillance and judgement. Mothers face examination through child health surveillance, in



the form of visits to the family home from the health visitor, beginning when the first child is just days old (Skeggs, 1997; Roche *et al.*, 2005). Social media has offered increasing opportunities to perform gender roles through motherhood; signifying intersections of gender, class, and economic capital (Johnson and Alice, 2014; McRobbie, 2015). 'Bad' mothers who deviate from the socially acceptable forms of motherhood face increased scrutiny from society through online criticism, and in some cases, through supervision by institutions such as social services. Baldwin (2015) comprehensively examines the experiences of mothers in the criminal justice system, particularly mothers in prison. How motherhood is observed and scrutinised offers testimony to the social construction of femininity and how it is performed (Butler, 1990), taken up (Ussher, 1997), and/or practiced (Stoppard, 2000). The social construction of white middle-class femininity has perpetuated the 'ideology of women as natural mothers, immediately able to care for their babies, and ultimately fulfilled in this role of selfless carer and nurturer' (Woolett and Marshall, 2000; Choi *et al.*, 2005). Whilst researchers have identified that multiple forms of motherhood vary greatly from this 'myth' of innate motherhood (Phoenix, Woolett and Lloyd, 1991), this form of ideology remains the yardstick by which 'good' and 'bad' mothers, and therefore women, are constructed.

The women in this study demonstrated that they understood, from a very early stage in their criminalisation, the importance of their role of being a mother had to their punishment. Sophie recalled the attention paid by the sentencing judge to her status as a mother.

*'I got asked if I was on my own and if I was a mother. Now, I don't feel that if I was a man he would ask if he was on his own and if he was a father. I felt that it was very important to my sentencing that I was on my own and I was a mother'. (Sophie, unpaid work)*

Even before her probation supervision had begun, Sophie was aware that her role as a mother would come under scrutiny as, in her mind, it was that role that had led to her receiving the sentence she did. She thought that she

may have received more unpaid work hours or additional punishment had she not been a single mother.

Whilst under probation supervision criminalised women must strive for a gendered performance of motherhood that is in line with dominant discourses of femininity - generally white and middle class - as it is only this form of femininity that is valued as a characteristic of desistance. This is because the female practitioners, as with most women in society, also strove to conform to these dominant forms of femininity; the pressure to appear 'perfect' at work, in the home, and as a mother (McRobbie, 2015). Demonstrating a renewed commitment to 'good' motherhood is an important way for criminalised women to display reform, and as such, it becomes a gendered characteristic of desistance. Displays of 'good' motherhood were commonplace across all the women within this research; even those without children, or whose children were now adults.

*'The only thing I want to say about my kids is that they are just my world and everything I do, dragging myself here and through all of that system, I don't think I would have got up in the morning and gone through it and done it if it wasn't for the kids being there and them needing Mum home'. (Sarah, peer mentor)*

Most of the stories Sarah told about her life-related in some way back to being, or becoming, a mother. For Sarah, at the stage she was at (peer mentor), her children were a key part in her motivation for persisting in her efforts to not only overcome the circumstances that led to criminalisation, but also shed the negative labels associated with becoming criminalised. Many of the images she took related to the birth of her children and her continued role as their mother. She constructed the interventions she engaged with, such as peer mentoring, and the opportunities she pursued, such as further education, as not for her development but as necessary and instrumental in a better future for her children. The images Sarah shared that depicted her children showed actions, such as walking her child to school, from Sarah's viewpoint. It is in these mothering moments that we can understand how Sarah used the images, not only to show her daily life

from her perspective but also to demonstrate the role her mothering played in her continued desistance. Mothering for her was being a good role model, including healthy practises (such as walking see figure 32, and healthy cooking), taking responsibility for others, and placing the lives of her children above her own.

Sarah was not, however, the only women to share images of doing activities with her children. Figure 33 depicts a similar image to Sarah's, also doing motherhood through engagement in 'healthy' activities, such as walking outside in a country park. While other images of children were taken by the women, they could not ethically be included in the data-set as they showed the children's faces.

Not all the women in this study had children who were dependent on them to meet their daily needs. For example, some of the women had had their children removed by social services, for some their children were now adults, and others simply did not have children. Nonetheless, these women still displayed aspects of motherhood regardless of the more indirect connection between mothering and their everyday lives. Frances, for example, reflected on her earlier experiences as a mother in comparison to her current experiences as a grandmother. For her becoming a grandmother had allowed her to be the 'mother' that she felt unable to be when she was a single mother to her three children; she had the opportunity to be a 'good' mother.

*'I didn't miss out on anything with my kids because it is what you do when you ... are a parent and you're on your own, you have got so much going on. ... And then you do have grandkids and it is a cliché but it is a totally different experience being a grandparent than it is being a parent. [It's] brilliant, absolutely'. (Frances, peer mentor)*



Figure 32 Walking to school.



Figure 33 At the park

Frances felt overwhelmed by motherhood when her children were younger and included the pressure of being a single parent as one of the contributing factors to her criminalisation. It was only now as a grandparent that she felt able to perform a nurturing and caring role. Frances had experienced repeated criminalisation for different offences, including an offence that included violence towards her daughter at a time of alcohol addiction. Whilst going through the cycle of criminalisation and re-criminalisation she felt unable to conform to the dominant discourse for femininity, including the 'correct' form of motherhood. However, as a grandparent, without the stress of daily responsibility for her grandson, she was more able to conform to the demands of approved forms of femininity through motherhood.

The few women who had had children removed from their care declined to share their stories of past motherhood. They still viewed themselves as mothers in the present and future, with detailed visions of futures within which they would be reunited with their children. These imagined futures served to aid in the process of overcoming the trauma of criminalisation and the removal of their children (see chapter 5). However, vocalising such futures also allowed these women to demonstrate a desire to fulfil approved forms of femininity. By imagining futures with their children as 'good' mothers, where the children's temporary removal from their care was in the best interests of the child right now, these women were able to demonstrate female characteristics of desistance without currently mothering.

Gemma's map (Fig. 34) shows how she demonstrated desistance through motherhood despite losing custody of her children. In her map, she detailed stormy relationships and going to prison, but all references to her children were positive. The children were born, she wanted to see them whilst she was in prison, but she was moved to a prison with no visits. On release, she got supervised visits with the children, before having the children for overnight visits. Gemma did not reference when the children were taken out

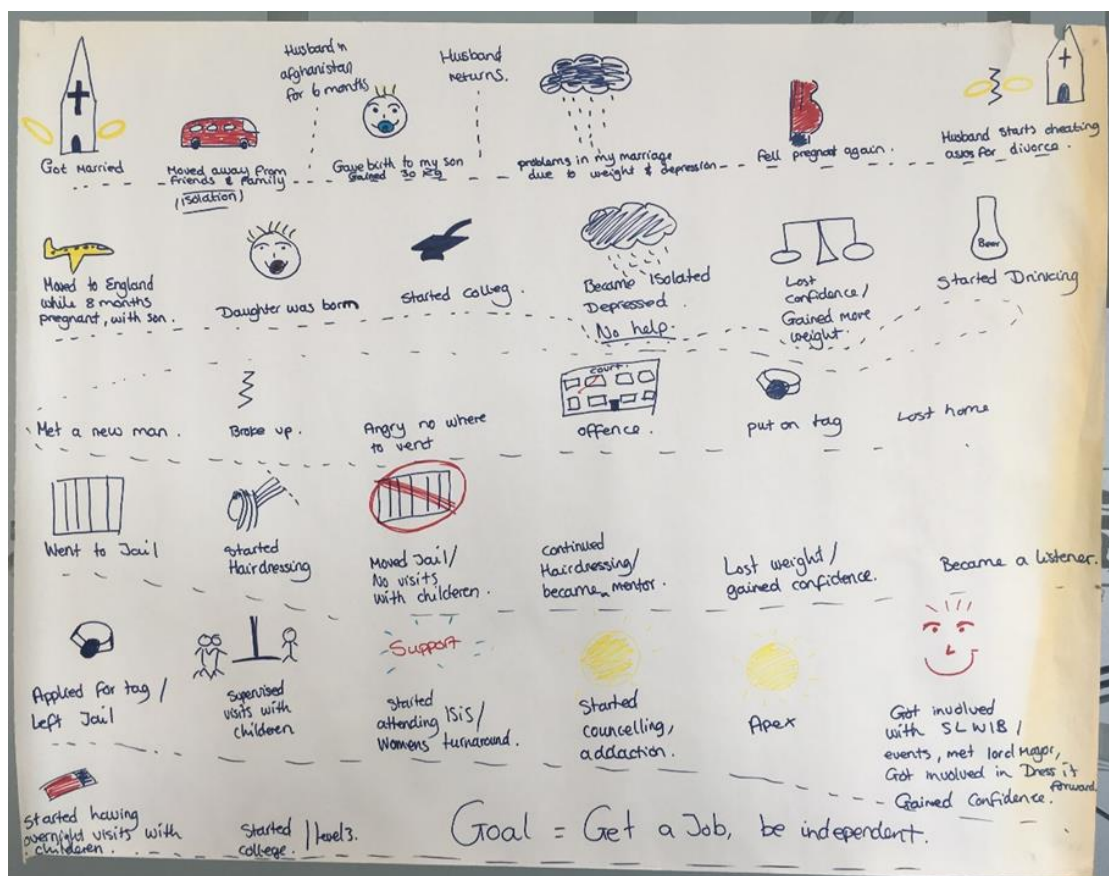


Figure 34 Map. Gemma, peer mentor.

of her care, she only referenced points that demonstrated her desire to be a better mother and points that showed she was working her way towards full motherhood again.

Gemma is a peer mentor who is in her late 20s. She has been married before and used to live in Germany with her husband who was in the army. She has two children with her ex-husband, but he is largely absent from their lives. She describes this relationship as abusive and isolating. She returned to the UK when her relationship broke down. However, she met a new partner, and then that relationship also broke down ending badly. She committed an undisclosed offence and went to prison before serving the rest of her sentence on tag with probation supervision. Through the process of criminalisation and punishment Gemma had her children removed by social services. She is currently able to have them visit her overnight and is aiming to one day have the children live with her full time again.

### *Homemaking & transformation*

For all the women in this study aside from Rachel, the home was a sacred space and often the most important space throughout their lives. As the home is also the centre of the domestic sphere, and a 'feminised' space, demonstrations of 'homemaking' appeared as another characteristic of female desistance. The domestic sphere has always been considered a traditionally feminine space (Mallett, 2004), a value reflected by the women in this research. The 'home', through depictions of various forms of houses, was the most frequently produced image within this research and was always the first to be coded and analysed. All the houses in the images were low cost, rented, and often social housing, offering a glimpse at the physical realities of the spaces criminalised women occupy. The women in this study viewed the home as so intrinsically linked to themselves, that their house embodied their own emotions, behaviours, and mental state.

*Frances: As a woman, the home is supposed to be our pride and joy. It's our home, our kids [home].*

*Jessica: It's a reflection on you if you're feeling down. If you're not doing well and you're feeling down, you lose interest in your house. I have neglected other houses in the past.*



*Frances: Yeah so have I. So, when you get better you're house proud.*

The condition of the house, through decoration and cleanliness, acted as a form of social barometer for their mental state. When 'in a bad place', such as during the period of their lives when they became criminalised, they felt that their homes reflected this. The significance of home as a female space, owned by and representing the women, meant that domestic activities, such as cleanliness or decorating, allowed the transformation of the self through the transformation of space. In extreme circumstances, this would mean moving out of that space, with many of the women in the study recalling frequent house moves during these periods, or at least a desire to move away.

Jessica's map shows the number of house moves she had had to make in a short period due to the disruption and uncertainty she faced in her life in the run-up to her law-breaking and subsequent criminalisation. Despite drawing multiple houses on her map (fig. 35) she only produced one photograph of a house. She explained that was because she would not go back to the area to which the law-breaking took place.

*I've only put this one image in, and it's not that house, because I won't go back to [area] Yeah? This symbolises the first house I was in. I was in four [different houses] straight after them. These are the four houses that I was done for benefit fraud on'. (Jessica, peer mentor)*

Explaining that she moved to four different houses in under three years, she asserted that it was getting away from those houses and that area that had helped her make a 'fresh start'. Jessica contrasted her home now to the houses she lived in during the period the law-breaking occurred. She described her homes then as chaotic, unfinished, and uncomfortable. Whereas her home now is well kept and described by others as lovely.



Figure 35 Map. Jessica, peer mentor

*'Every other house I had was never finished. It was never fully decorated; it was never homely. It didn't feel comfortable. It was a house – this one feels like a home. Especially when people come in now and say, "oh haven't you got a lovely home?" - I never had that. It was, well cos my house was just chaotic constantly. With him in, there was no routine, there was, just nothing was ever done or anything'. (Jessica, peer mentor)*

Jessica noted the significance in her home and surroundings in her transformation from lawbreaker to law-abiding. When her home was in chaos, so was she. Sarah, Jessica and Frances all revealed how taking better care of their homes came hand in hand with them taking better care of themselves.

*Sarah: It's a reflection of you. You start looking better, and you may put more makeup on or taking more notice of yourself.*

*Jessica: Yeah apart from at the moment, my house is a [mess], but it's only because I've been working and stuff. Like the kids' rooms are such a mess, and I was going to get up at 6 this morning to do them because I'm in work straight after this. And it does make you feel down because it has been a mess the last few days, but it's nowhere like how it used to be.*

*Frances: When you're pulling yourself round in your pyjamas, your house is in your pyjamas too if that makes any sense.*

The women's homes were such an extension of who they were that they mirrored their state of mind, acting as a barometer for how well they were doing in their journey of personal growth through rehabilitation and reform. How the home was discussed as representing them as 'reformed' conforms to idealised norms of femininity and cleanliness, or femininity through design – 'homely' touches. Frances even referred to this as 'the feminine touch'.

Frances disclosed that, although she had to move out of her home temporarily to complete her sentence, whilst staying at her dad's house across the street she would sneak back into her house to clean it.

*Frances: I used to sneak in the back, just in case anyone, social services used to see me or anything. I would sneak in the back; I had the alley key. I would sneak in to clean the house and then leave.*  
*Nicola (researcher): Why did you go back and clean the house?*  
*Frances: Because it was my house.*

Even though Frances could have potentially been in trouble with the social practitioners and her probation officer for returning to her property, she wanted to ensure the house was clean while her dad was taking care of it and the children for her. It is clear from this commitment to her home that not only was she as an individual closely linked to her home and the responsibilities around it, but that caring for her home was also part of her (re)commitment to approved feminine practises, even though she could have faced further criminalisation.

Home, or multiple homes, were presented by the women in this study. This can be seen in the 'home' analytical grouping offered by the peer mentors (Fig. 36). However, whilst the women involved in this study were happy to discuss the inside of their homes, including its relevance to their everyday lives and self-perceptions, most did not visually represent the inside of their homes. The reluctance by most to show the inside of their homes demonstrates 'home' as an important 'feminine' space for which they held ultimate ownership; whilst they wanted to talk about their homes, it was rare that they wanted to share the material experiences of inside their homes.

Claire and Betty were two exceptions to this reluctance to share images of internal domestic spaces. They were both frequent attendees of the women's centre, but no longer subject to unpaid work hours. Claire's home,



Figure 36 'Home' analytical grouping

and the images she shared of it, were ways of her demonstrating desistance through transformation and conforming to middle-class ideas of style and taste. The pictures Claire chose to show this (Figs. 37 & 38) were of a recently refurbished garage and garden. In her discussion of these photographs she described the garage as 'the place the offence occurred'. This was because the space had been used to grow marijuana. As part of her reformation transformation, she designed, decorated, dressed the space using designs taken from interior design magazines and social interest website 'Pinterest'. Claire said that she had to do something with the space that was positive; she could not leave it how it was as it would be 'always just be there'.

Claire is a frequent women's centre attendee, despite no longer being subject to probation supervision. She is in her mid-30s and was sentenced to unpaid work and probation supervision alongside her husband for allowing the growth of cannabis plants in an external building (garage) on her property. Claire has children and enjoyed her old job in the NHS. She is currently unemployed but is now training to be a peer mentor in the future.

The embodiment of Claire's home as an extension of herself was extremely important in understanding how the transformation of the home was also a transformation of herself. By ridding her home, and herself, of the space within which the offence took place, it demonstrated her commitment to never repeating the offence. Just as Claire was showing a commitment to reform, the photographs of her house represented this transformation visually; demonstrating how a commitment to the domestic sphere was also a characteristic of desistance for criminalised women.

It is important to note here that these practices are bound in consumption. It was not simply a case of keeping the home clean but the purchase of goods and movement from one house to another - all activities that require a certain amount of economic capital - that demonstrated 'reform' through the spaces they called home. Claire could transform her home and demonstrate 'desistance' precisely because she had the economic capital to do so. Building symbolic 'desistance' capital through demonstrations of



Figure 37 In the garage (1)



Figure 38 In the garage (2)



gendered characteristics of reform can be bolstered by economic capital. Claire owned her home, and as such, she was economically protected from losing her home through eviction due to the criminal behaviour on the property grounds. Had Claire been in a poorer economic/financial situation, she would not have been able to demonstrate her desistance through homemaking in this way. Claire's social and cultural capital also ensured that when she did decorate the space that had previously been used to grow cannabis, she did so in such a way that it conformed to middle-class notions of taste. She actively sought ideas from property magazines and the online ideas board Pinterest. In contrast to Claire, Betty's images of inside her house did not serve as a way of conveying desistance. Although she did include images of active motherhood, such as watching her child play with his toys (See fig. 39) as a way of demonstrating her commitment to motherhood, Betty used the images taken within her home to convey the trauma that she felt had shaped, not only her offending but her entire life. Betty's images served as a memorial to her sister that had died when she was a young adult; the guitars displayed in figure 40 are such an example (see discussion in chapter 5). The pictured objects were in every room and corner of her home, acting as a constant memorial to the sister who, despite no longer being physically present, remained a significant element of Betty's everyday life. In contrast to Claire's transformation of both herself and home, Betty's grief meant she was stuck in a cycle of (re)traumatisation which was demonstrated by her home remaining in a permanent state of memorial to her sister.



Figure 39 Playing with toys



Figure 40 Sister's instruments. Betty, women's centre attendee

### *Normalising surveillance, health & women's bodies*

The process of punishment and community supervision adds yet another layer of scrutiny to the lives of women who experience multiple forms of surveillance throughout their life course; as partners, mothers, and women. The need for supervision to make the 'right choices' becomes a key lesson learned during the process of supervision. Women are frequently infantilised, often referred to as 'girls', which in combination with the labelling of criminalisation, becomes internalised as 'bad girls'. Images and discussions of healthy eating and weight loss stem from the desire to be seen as in control and 'making the right choices'. Whilst body shape and physical wellbeing are not often thought of as key characteristics of community punishment or rehabilitation, weight loss and making the body smaller are approved goals of normative femininity; with frequent signifiers to women that small size is what is considered desirable, successful, and 'normal' (Jaggar and Bordo, 1989). Therefore, notions of eating right, working out, and living healthy lives were communicated to the women as part of a common belief about what a reformed woman should be. As such, displays of transformation were not restricted to the transformation of the women's home environments but also extended to the transformation of the body.

For many of the women, making the right choices, or demonstrating they had transformed, meant making physical changes. One of the women took a photograph of a side table in her house (figure 41). On it were hairbrushes and prescription medication. The discussions that stemmed from this image were about the relationship between how you look on the outside and how you feel on the inside. This image showed that this woman took pride in her appearance through caring for her hair, but also by taking the medication (identified by the woman as anti-depressants) that was needed to be physically and mentally well. In an unrecorded photo-elicitation session, the women agreed that in the lead up to, or during, the law-breaking behaviour that led to criminalisation they identified with not taking care of themselves; by not washing or dressing properly (wearing pyjamas in public),



Figure 41 Dressing table

not taking prescribed medication, and not eating or drinking appropriately. Demonstrating that these areas of everyday life have now become a priority in demonstrating change and transformation. Healthy eating and outward appearance were permanently on the agenda within the women's centre. As such, women attending community punishment would receive continual messages about health and wellbeing, reinforcing the notion that 'healthy choices' equal reform.

Figure 42 is the map created by Nat, one of the practitioners. It shows the importance of going to the gym, with the associated words 'healthy' and 'wellbeing' attached to this message. The women's centre also offered fitness classes to start the day, weekly walking sessions, healthy cooking classes, and the women who attended the centre would work together to produce a warm meal for whoever wanted it during the day. Health, wellbeing, and mindfulness were all activities promoted to aid in reform. As such, the women used the images produced in this study to show their commitment to making healthier choices as the 'healthy choice' message became a key characteristic of desistance.

For women under surveillance, joining a weight loss programme, which includes weight loss surveillance through recording meals and weekly weigh-ins, extends and internalises the institutional surveillance experienced through punishment. Figure 43 shows Claire's weight record book. She discussed needing help and support to fully commit to losing weight and how this could only be achieved by being measured by an external party. Claire demonstrated how, through the process of punishment and probation supervision, she had learned that to conform to the ideals of wider society, negative behaviours should be subject to surveillance and recording to facilitate change. Therefore, this is how the women demonstrated power over areas of their lives that deviated away from societal values, such as their size and weight.



Figure 42 Map. Nat, criminal justice practitioner

In figure 43 Claire follows up the photograph of her weight record book with an image of the food she had prepared under instruction from her new diet plan. This was to demonstrate her commitment and her ability to exert self-control through self-surveillance; not simply through words or intentions, but through action.

This supports assertions of Gottfredson and Hirschi (1990), who saw criminal behaviour as a signifier of low self-control; describing such individuals as 'impulsive, insensitive, physical (as opposed to mental), risk-taking, short-sighted and non-verbal'(p90). They state that these personality traits not only promote criminal behaviour but also cause issues in other areas of life such as employment and personal relationships (Gottfredson and Hirschi, 1990). Therefore self-control becomes a desisting characteristic.

When examining the images during analysis, Shannon and Abbey both identified themselves as also attending a slimming club.

Nicola (researcher): Why go to slimming world?

Shannon: Because you're getting monitored aren't you?

Abbey: Yes, because otherwise, you are like shame on this now, I have got to go in here today, I better lose today. So, you make sure you are going to lose don't you?

Shannon and Abbey both demonstrated that they understood that surveillance by another offered a certain level of social control. In this case, the surveillance from the slimming club boosted their sense of control. Both recently beginning their community sanction, they went on to consider how the slimming club was like coming to their probation appointments. They both recognised that the observation and surveillance in both situations prompted them to behave differently.

Displaying high levels of self-control across all areas of life becomes an important part of demonstrating continued desistance. Alcohol and substance use became a measure of displaying (a lack of) self-control in the maps. For example, for Frances, who had disclosed that problems with



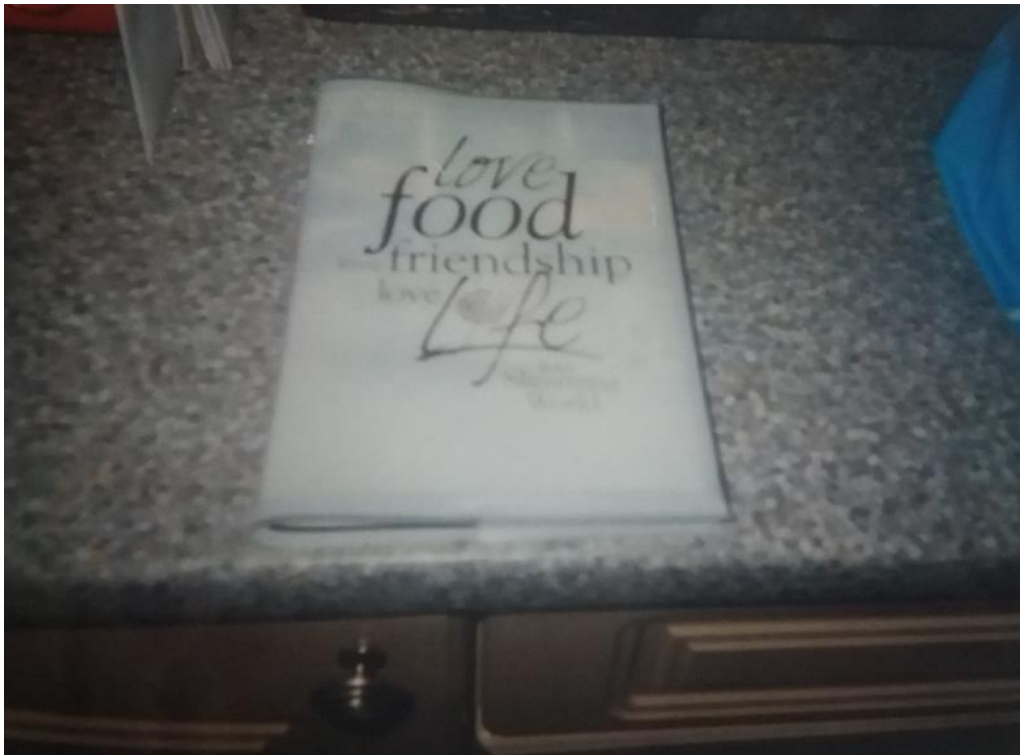


Figure 43 Slimming world book



Figure 44 Cooking from scratch



Figure 45 One glass of wine a week

drinking had been a contributing factor in her law-breaking, her self-control revolved around the one glass of wine she allowed herself a week.

‘I allow myself one glass of wine a week, that’s it. Nobody specified the size of the glass! [laughs]’. (Frances, peer mentor)

This allowance showed self-control through routine, of only drinking on a Sunday night in her home not the pub and being able to control her urge to drink more through restricting herself to wine, not spirits and then, only one glass. This one glass of wine on a Sunday night, see figure 46, reminded Frances that she was in control, by taking this image she demonstrates the characteristic of desistance through self-control.

### *Not demonstrating desistance*

The research space opened up new situations and opportunities for women to demonstrate the actions and desires that constitute key characteristics of desistance. Most of the women displayed some acknowledgement - through their actions, speech, data produced, or through their analysis of the data - that they understood what these informal characteristics were and that they needed to demonstrate them to successfully traverse punishment without further criminalisation. Whilst some of the women did not always emphasize these characteristics, there was only one woman in the study who actively resisted and subsequently failed to, demonstrate desistance adequately: Rachel.

Rachel is in her late-20s and is currently subject to probation supervision and unpaid work for a driving offence that included the use of alcohol. Rachel has no children and lives with her male partner in a flat near to the women’s centre.

Rachel was halfway through her unpaid work hours at the time of the research. She had received community payback/ unpaid hours after a drink driving offence, where she also lost her driving licence and car. She had an allocated probation officer that she said she didn’t see much of, and she agreed that the main point of contact in the women’s centre was Nat, who facilitated her unpaid work. Figure 46 shows the map that Rachel drew in

one of the earlier sessions. She depicted her home, going to court, losing her car, going to the shops to buy alcohol, herself 'very drunk', the disapproval of her family, community payback, her nephew, and 'trying to stay good/trying for a baby'.

When Rachel drew her map, she drew up until her family with ease. Through discussions around the table with other women, and after examining what they had put on their maps, she added her nephew 'keeping her good' and community punishment; making a joke about unpaid work not being good, but they get fed well so she still comes. Her map followed the style of the other women's maps. However, rather than emphasising the more positive aspects of her life, she has focused on her negative behaviour when drunk and made light of the unpaid work she was court-ordered to do. Whilst she did represent a desire to become a mother, this was only done begrudgingly when prompted by Nat, the criminal justice practitioner who facilitated Rachels unpaid work sentence.

The significance of motherhood as a signifier of conforming to the dominant and approved forms of femininity, and as a characteristic of gendered desistance, is of such importance that even women without children, like Rachel, find ways to demonstrate it; often through a claimed desire for motherhood, or by identifying children within their lives which help them to fulfil this role. Rachel demonstrated this within her map (figure 47). She drew a simplistic map that identified her home, court, getting drunk, her punishment, and her family and boyfriend, who she identified as not being happy with her behaviour. She also drew a child whom she identified as her nephew. On her map, she stated 'nephew keeps me good'. She ended her map with 'trying to turn life around'. However, when approached by Nat, who prompted her to put more on her map, she wrote 'trying for a baby'.

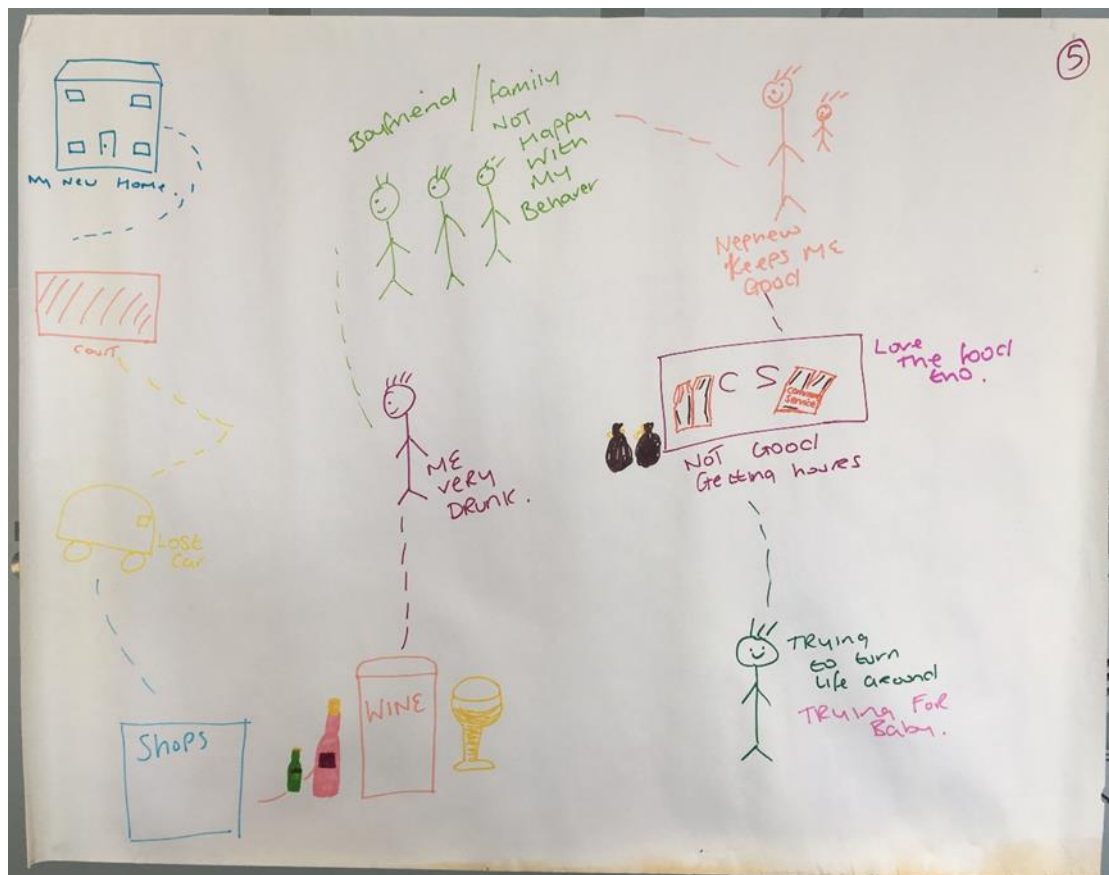


Figure 46 Map. Rachel, unpaid work

This demonstration of a desire for a child was the first and only mention of motherhood Rachel made during the research process, and it was a direct result of the interaction between Rachel and Nat, the criminal justice practitioner. During the times that the other women were discussing motherhood in detail as a group, Rachel actively resisted the research process by placing her head on the desk and disengaging with the conversation.

The difference in Rachel's behaviour as she drew the map in front of the other women, and away from the gaze of criminal justice practitioners displayed starkly how demonstrations of motherhood were expected and demanded as part of the supervision and reform of criminalised women. Rachel only added the sections of the map that included her nephew and the section that said, 'trying for a baby' when Nat, the criminal justice practitioner, prompted her to add something more than just deviant behaviour.

Ultimately, Rachel's display of a reformed 'desisting' character was inadequate, and as such, she was rewarded with greater supervision and negative reports. In many aspects of her experience of community punishment and probation supervision, Rachel was re-criminalised. An example of this re-criminalisation, without any further law-breaking by Rachel, was when Rachel was first introduced to me by Nat. Rachel was introduced as a 'PPO'; a persistent prolific offender. However, Rachel was completing unpaid work for a driving offence which was her first and only criminal offence; therefore, this was an inaccurate description which re-criminalised Rachel through labelling her in a way that communicated a different narrative of criminality that was purely imagined by the criminal justice practitioners based on their perceptions and interactions with her.

How Rachel was perceived by staff who held power over her through punishment had been influenced by her refusal to adequately represent herself 'correctly' through approved forms of femininity. Rachel's inability to

be perceived as a reformed woman was not solely due to an inadequate demonstration of the desire of motherhood, but in combination with her indifference towards 'home' as a significant space, instead preferring to spend time at a range of local pubs or with friends.

During the research, Rachel actively resisted the opportunity to demonstrate desistance characteristics; contrasting starkly with the other women who used the time and space to display themselves as mothers, homemakers, and reformed bodies. An example of this was during the letter writing, where Rachel refused to write a letter to her future self. She placed her head on the desk and only intermittently talked to others. Nat asked her if she wanted to leave but Rachel did not; she just wanted to place her head on the desk. Reflecting on this I wrote in my research notes:

*Rachel did not want to complete tasks today. She placed her head on the desk. Nat told her off a little bit, told her she had to get involved or leave the research. That she was causing a fuss. I told her that this wasn't the case, she could stay (or leave) if she wanted [as per the information and consent sheet she signed]. Nat wasn't very happy with that I don't think. I offered her some water and asked if she was feeling ok. She said she was, she just wants to put her head on the desk.*

Whilst some of the other women also struggled to, or refused to, write the letters, they did so discreetly, using the time to add more to their map or talk with the women around them. As such, Nat interpreted Rachel's behaviour as disruptive.

Rachel also took a camera to complete the photovoice aspect of the research. On collecting it, she made jokes about taking pictures of her partner's genitals to 'shock us all' or how it was 'a shame it's not a digital camera, I could have given it my nephew'. She did not return the camera. This was not necessarily unusual as the return rate was low. However, Nat made a big deal about it, repeatedly offering reasons why she didn't return her camera. The reason changed each time, with Rachel telling unlikely or farfetched stories that were meant to entertain or shock the other women.



This visibly irritated Nat, as she kept telling Rachel to calm down, be quiet, and stop disrupting the research for everyone else.

During the analysis of the maps and photographs, Rachel offered opinions and responses to questions that could be viewed as in opposition with the rest of the group's demonstrations of desistance characteristics. When asked about her experience of going to court and now coming to community punishment Rachel acted unbothered.

*Rachel: It doesn't bother me. It disturbs my weekends going out like [laughing] on a Sunday night, I have to come here on Monday but other than that it doesn't bother me.*

*Abbey: But say like that you did have to go to jail instead?*

*Rachel: Would just have to ride, wouldn't I?*

*Abbey: What would you miss the most if you went to jail?*

*Rachel: Getting pissed. [laughing] It is the truth, I don't know because I have never been in that situation.*

*Nat (practitioner): You would miss your nephew, wouldn't you?*

*Rachel: Yes.*

In this interaction, Rachel demonstrated a blasé attitude towards punishment, with a hint of bravado. Abbey and Nat both adopted a line of questioning that offered cues to Rachel that she was showing the wrong sort of attitude. For example, Abbey tried to get Rachel to show that she was fearful of further punishment, asking further questions when Rachel didn't provide 'satisfactory' answers. Nat then reminded Rachel of her relationship and responsibility to her nephew, offering Rachel a chance to redeem her attitude through a demonstration of the nearest relationship Rachel had to mothering. Both Abbey and Nat were attempting to guide Rachel away from unsatisfactory responses and towards demonstrations of desistance characteristics. I wrote this excerpt in my research diary:

*Nat keeps telling Rachel to be quiet. I want her to speak! Rachel keeps adding things to her map led by what Nat tells her. Frustrating!*

In another interaction with the group and Nat, there was evidence of Rachel's behaviour beginning to single her out as different from the other women. Rachel muttered a comment during a drawn-out conversation

about Janine and Helen not accessing health services due to their conviction. In response, Nat defended the two women.

*Nat (practitioner): It is harder for them two because ... it is harder for them two...*

*Janine: But your name hasn't been splashed on a paper with the front ... your name, your picture ...*

*Rachel: I wouldn't be bothered anyway.*

*Janine: You would if it happened.*

*Nat (practitioner): That is how you perceive what you have gone through on probation. It hasn't really affected you in a way that it has affected the girls. That is not taking it away from you or taking it away from the girls, but they have probably given themselves more punishment than any judge could have ever given them two. Do you know what I mean? ... We know loads of girls who come to the centre who are on probation and they are not bothered. They will tell you what they have done, and they are just a bit you know ... Their mum and dad might have gone to prison and it is quite normal in like their circle of friends, to go to jail or to have a tag. Whereas others, it's different.*

Whilst I did not hear the initial comment that Rachel made; Nat responded to it in a way that separated Rachel from the other women; she placed the women into two different categories. In one category, there was Janine and Helen who showed how they had been adversely affected by the label and stigma of having their names in the newspaper. Nat contrasted this with a description of 'other' women; a category she implied Rachel was in by saying that it was harder for Janine and Helen because they cared about what people thought of them, whereas people like Rachel didn't. In this way, Rachel became labelled as someone who experienced law-breaking and punishment as normality. Whereas, in contrast, due to how they were demonstrating desistance, and how they demonstrated the impact of punishment, Janine and Helen were considered to have punished themselves more than any judge could.

At the beginning of the group sessions, before I had properly met the unpaid work group, Nat gave me an overview of who the group were, how they fitted into the workings of the women's centre, and how they might react to the research process. She singled out two individuals to discuss directly. The

first individual was Annie, who was a volunteer who had recently finished her unpaid work hours but was still under probation supervision. She was highlighted as having done very well; an excellent example of how the women's centre could rehabilitate women and a 'success story', despite still being subject to community sanctions. The other individual was Rachel.

As previously mentioned, when Nat talked about Rachel, she called her a typical 'PPO' – a persistent, prolific offender. She said that Rachel's whole family was known to the women's centre, with her mum returning frequently due to convictions for shoplifting, and her sister due to fighting in the town centre when drunk. She laughed and said they were alright people when they were at the women's centre, with Rachel's mum often bringing in boxes of biscuits to share with the other women. Nat commented, whilst pulling a face and gritting her teeth, that she was always suspicious as to whether Rachel's mum had paid for the biscuits or shoplifted them on the way to the centre. Nat's opinion was that Rachel should not have received a community order of unpaid work and probation, but rather should have received a DTTO for alcohol abuse. In my research notes I commented:

*Rachel = ~~PPO. Only one?~~ Not a PPO. First offence. Driving. Why has she called her a PPO?*

As the research progressed and Rachel started to talk about her life, it became apparent that alcohol use was an important part of her daily activities. However, it also became clear that this was Rachel's first time through community punishment and her first offence. Despite this, Nat had assigned the label of PPO to Rachel because her behaviour was not consistent with the behaviour of the other women who were all demonstrating desistance in various ways. Yet by labelling Rachel as a PPO, and separating the women into binary categories of deserving and undeserving of further punishment, Nat had already begun to recriminalize Rachel. This was exacerbated by Nat exerting further social controls in reaction to Rachel's behaviour, such as taking her out of the room to talk to her about her behaviour during breaks in the research and stopping her from

socialising, having a drink and snack. Nat also verbally warned Rachel that she would be advising her probation worker if she did not begin to cooperate 'properly'. As Rachel was cooperating with the research, and with Nat's instructions (including adding drawings to her map when prompted), the notion of 'cooperating properly' clearly meant acting in ways that demonstrated desistance rather than merely taking part. In my research notes I reflect on the discomfort I felt during this interaction.

*Nat is using the research as part of the punishment activities. I really don't like it. Need to think about ways to ensure this research is not co-opted punishment.*

It was through Nat's interactions with Rachel that the consequences of not demonstrating desistance were evident. Even in the research setting, which was outside the context of punishment, Nat was trying to shape Rachel's behaviour and attitude through disciplinary processes that included labelling her further. By Rachel not demonstrating desistance, it became clear how important these gendered characteristics were in informing the practitioner's perception of an individual's remorse, rehabilitation and reformation.

The demonstration of desistance occurs as a necessary by-product of social control exerted by the CJS through interventions and surveillance based on the notion of rehabilitation or reform. The relationship between demonstrating desistance by the criminalised woman, and assessing and recording of risk by the practitioner, is a game that needs to be played to travel through punishment 'unscathed' by further criminalisation. By (intentionally) ignoring or resisting the cues to behave in this way, or (involuntarily) failing to understand what the characteristics of desistance are, or being unable to demonstrate desistance due to physical or mental characteristics (obstructed), the woman risks actual (through arrest or recall) or symbolic (through labelling and denial of support and/or resources) re-criminalisation.

## *Conclusion*

Desistance is considered one of the more important theories in contemporary criminology. It has broken the boundary between criminological theory and criminal justice practice through conceptions of probation work as 'desistance led' practice (McNeill, 2006). However, as the women in this study have shown throughout this chapter, the key characteristics proposed by current desistance theorists as significant 'turning points' toward a crime-free life do not fit with the experiences or narratives of criminalised women. For example, when we consider the significance of settled relationships or 'the love of a good woman' (Laub and Sampson, 2001) the experiences of the women in this study directly contradict the notion of relationships as influencing desistance as many of the women highlight their relationship as a key driver in the original law-breaking behaviour.

Whilst a few of the women did partially identify with Maruna's (2001) theory of desistance, which identifies the scripts that people with convictions give themselves and how these influence future behaviour, these were in the minority and at a very specific transition point between the end of community punishment and early engagement with a peer mentoring charity. Women still subject to community sanctions, and women who had been peer mentoring for longer, rejected Maruna's (2001) redemption script narrative. Whilst some desistance theories were present in some of the women's narratives to a certain extent, overall the women's experiences did not correlate with expected narratives of desistance, despite all the women currently desisting from crime. As such, this study identifies key aspects of gender-specific 'women's' experience that are absent or underrepresented in existing desistance theories.

In order to adequately explain the experience of community punishment, the women in this study revealed to the group the areas of their lives that extend beyond spaces of punishment. The images, maps and letters the women produced created narratives of their lives that highlighted restraint,

self-control, morality, and respectability through displays of mothering, healthy eating and attitudes, and the transformation of the home and the self. The narratives presented appear to offer a representation of the everyday lives of women subject to community punishments. However, the stories that they told were well crafted. As such, they do not necessarily chart the trauma, pain or horror of punishment. Rather they offered an opportunity for the women to provide counter-narratives to the offender label. Challenging the deviant or fallen woman stereotypes attached to the 'female offender' label that affect their ability to be viewed as reformed and respectable women.

These counter-narratives were achieved through displaying commitments to 'respectable' activities, such as spending time with their children, cooking healthy meals, decorating and maintaining clean homes. These were all activities the women routinely did in their everyday lives; activities that they considered to be mundane and sometimes monotonous. However, through the application of the offender label, the women's abilities to complete such 'normal' tasks adequately came into question. Therefore, the women used the research space as a place to reinforce their capability; reinforcing aspirations of respectability. The fact that the women chose to show these positive aspects of their lives, or show aspirations towards them, in relation to their experience of punishment shows that it is important for these aspects of their lives to be acknowledged and recorded in order to successfully traverse punishment. Demonstrating desistance characteristics for women subject to community sanctions and surveillance is not about changing who they are, as suggested in existing theories of desistance, but rather demonstrating that they adhere/aspire to feminine practises, thereby signalling respectability and reform. Demonstrating 'desistance' is a key part of building desistance capital that can then be exchanged for capital in other fields, assisting in a smooth transition out of punishment and the penal field.

Demonstrating desistance is a performative activity which needs a specific audience. In the presence of friends and other criminalised women, the need

to present desistance characteristics was not present. However, it was in the presence of the female practitioner that demonstrations of desistance became apparent. However, this was a two-way exchange with the female practitioner observing, collecting and reporting the women's behaviours and attitudes, whilst the women observe, reflect and enact the behaviour and attitudes of the female practitioner as a demonstration of desistance. The next chapter will examine the significance of women on the 'right' side of justice from whom criminalised women learn how to navigate gendered criminalisation.

## Chapter 7: The role of the female practitioner

Managing trauma and demonstrating desistance, as evidenced in the previous two chapters, are social processes. How trauma is managed, through humour, narratives of elsewhere, and 'bearing witness', and key desistance characteristics demonstrated, require specific social interactions to occur to become meaningful. The important individuals in this social interaction are the criminalised women, the peer mentors, and the female practitioners.

Where the relationship between women and community punishment and/or probation supervision is considered, the main female practitioner is always to be either a probation officer or a social worker, with other practitioners (such as addiction nurses, therapists etc.) deemed to be on the periphery of women's experiences (Worrall and Gelsthorpe, 2009). However, few studies acknowledge the increasing role of the low-skilled criminal justice practitioners often found working in women's centres or other third-sector areas (Corcoran, 2010). With the recent changes to the probation service, the number of low-skilled criminal justice practitioners has increased. This was because CRC contracts were often awarded to a prime, private-sector bidder, who then subcontracted the delivery of various parts of the probation service to voluntary sector agencies (Corcoran *et al.*, 2017). This move has meant that women's centres, such as the centre in this study, have become sites of punishment and penal drift (Corcoran *et al.*, 2017). Penal drift refers to:

'a gradual shift in language, culture, and practice away from a focus on the welfare or well-being of service users towards the priorities and goals of the CJS' (Corcoran *et al.*, 2017, p. 16).

In this case, the extent to which penal drift had become normalised was demonstrated through the actions of Nat the female criminal justice practitioner who supervised community punishment through unpaid work at the women's centre. This chapter will focus on the role that the female practitioner plays in the social processes of managing trauma and



demonstrating desistance that occurs during community punishment and supervision, whilst also recognising the importance of the role of the peer mentor as a liminal role between the criminalised woman and female practitioner. Understanding how criminalised women interact with those who support and sometimes oppress them through punishment is crucial in understanding how women understand their lives once they become subject to punishment within the community.

Within the women's centre, all the probation staff, criminal justice practitioners, and volunteers are female. This is to ensure a female-only space for the women that need to access services, which include services that relate to domestic abuse (Schedule 9 (part 1) of the Equality Act 2010). After the introduction of TR, women's centres were able to bid for funding from the local CRC, but in exchange, they had to open these spaces to probation officers and therefore became spaces of community punishment. Yet, by becoming female-only spaces for punishment, the women's centre has become a contemporary reflection of the semi-penal institutions that were used to reform individuals 'who had, for various reasons, transgressed either legal or (in the case of women) gender boundaries' (Barton, 2000, p. 158) during the late 19<sup>th</sup> and early-mid 20<sup>th</sup> centuries.

During this period such women were viewed as dangerous, but equally vulnerable and in need of saving (Hutter and Williams, 1981; Smart, 1992; Faith, 1993; Carlen, 1998). Women were not only disciplined through codes of morality, as experienced by men subject to probation during this period, but also through conceptions of femininity. Femininity was constructed through a women's position with the family, as a carer and nurturer, with appropriate behaviour modelled on 'a middle-class construction of virtue that set the standard of behaviour for all women' (Zedner, 1991; Barton, 2000, p. 159).

Barton (2000) notes that middle-class notions of femininity were filtered downwards to the working and lower classes through institutional

involvement in places such as schools, and churches. The policing of femininity was carried out by middle-class women who formed a 'hierarchical female network' (Walkowitz, 1982: 86), socialising generations of women to conform to indoctrinated rules about femininity; including domesticity and sexual 'norms' (Walkowitz, 1982; Barton, 2000). Women who transgressed the approved forms of femininity were placed within a programme of reformation and 'normalisation', which would return the fallen woman to that of a 'proper' woman who could adequately attend to her domestic and feminine duties (Barton, 2000).

Social control was asserted over these women through morality and domesticity, promoting behaviours that were seen suitable for future wives, mothers or domestic servants. Thereby providing the dual benefit of conformity to middle-class notions of chastity, respectability, and femininity; while also rendering the women productive, useful and above all, docile (Barton, 2000). Once reformed, it was assumed that with morality and femininity restored, these women would self-regulate to gain the rewards and status of 'respectability'; just as all other women of the time did. The rewards associated with respectability were reinforced by the risk of social ostracism and 'informal but severe sanctions' which encouraged women 'to police' themselves as well as each other' (Zedner, 1991; Barton, 2000, p. 160).

Of the 32 women in this study, four would be considered criminal justice practitioners. The criminal justice practitioners were the CEO of a charity, a project manager, an education support officer, and a criminal justice worker who facilitated community punishment - all of whom were female and worked with criminalised women in community-based settings. Of these four practitioners, two had biographies that included previous criminalisation that led to punishment and a criminal record. That meant that there were two practitioners in this study that had no direct lived



Figure 47 Map. Nat, criminal justice practitioner

experience of criminalisation. These practitioners were initially included due to their role as gatekeepers of the research sites. However, whilst one

stepped back after the initial introduction, one of the criminal justice practitioners, Nat, was invited to be involved in the study by the women she worked with.

### *Nat the female practitioner*

Nat was a female criminal justice practitioner, working at the women's centre as the primary facilitator of community punishment. She was in her early forties, had lived and grown up locally, had children, and before becoming a criminal justice practitioner she had had a career as a personal trainer, often working exclusively in women's gyms. She had been facilitating unpaid work over the last year at the women's centre, ever since the women's centre had won the contract for gendered services from the local community rehabilitation company (CRC).

As Nat had no specific experience of criminalisation or community sanctions, her map (figure 47) was a way of her making sense of the women's lives in relation to her own, and a way of her understanding her position in their lives. Within Nat's map, she very clearly depicted her own life in relation to the women's centre and the lives of the women around her. She credited her success (i.e. a life free from criminalisation) to the positive choices she had made in her life, demonstrating that if she too had made negative choices, she would have most likely experienced punishment also. Nat, however, had engaged in law-breaking behaviour, she just had not experienced criminalisation as a result.

*Nat (practitioner): Well when I came for this job, I didn't declare a driving offence that I had because I didn't see that, ... and that sounds really stupid, but I didn't see that as a criminal offence. Even though I got points for speeding, I didn't think that was like offending and then in a conversation in the office it was like ...*

*Abbey: She got slammed. [all laugh]*

*Nat (practitioner): You've got a, ... you've been done for speeding, I was like yes, yes, I got a fine and I got three points. Now you tell me what professional hasn't been done for speeding?*

*Shannon: Yes anyone, professionals have been done for speeding, haven't they? Half of them have got about 15 points on their licence*

*because they just like bomb it on the motorway to get to work, aren't they?*

*Nat (practitioner): But to me, that is how, you know I didn't see it, to me a crime would be ...*

*Abbey: To strangle someone or something?*

*Nat (practitioner): Yes, that was probably the way I seen it until I started working within the CJS.*

Nat disclosed to the women that when she began her job at the women's centre, her fine for speeding had shown up on her DBS certificate. Yet she had not disclosed this as she did not consider it something she needed to disclose as a criminal act.

In the interaction between Nat, Abbey and Shannon we can see that working in the CJS had changed Nat's perceptions somewhat. Many of the women that attended the unpaid work facilitated by Nat were there for driving offences or other non-violent crimes such as benefit fraud. By meeting women who had been criminalised for similar offences to her driving offence (for which she received points on her license and no formal contact with the CJS), Nat's view of what it meant to be a 'criminal' had widened. However, Nat did not acknowledge that some people are criminalised (i.e. the women in this study) over minor matters, whilst others (i.e. Nat) are not criminalised at all. This reinforced the injustice of criminalisation for some, but not for her and people like her.

This highlights the differences between criminalisation and law-breaking. The women in this study had all had the 'offender' label applied to them throughout the criminalisation process due to their law-breaking behaviour. Nat, however, and many others like her in society, had broken the law and received a sanction for it, but without having the label of an offender applied to them. As such, Nat could not and did not claim to have had the experience of criminalisation or punishment. Therefore, Nat's understanding of community sanctions was from her interactions with the women she worked with, and as such, that was how she made sense of community punishment in her map (figure 47).

*'In the middle, I've put two yellow brick roads, and put my choice. Because I think we can all go down certain roads in our life, but did you choose to go that way? Were you pushed to go that way? I think a lot of my choices and decisions I've made have been my own choice. So, I've gone in that way'. (Nat, criminal justice practitioner)*

Whilst Nat did consider that external forces may have compelled the women to make certain choices, she returned to her underlying position of personal choice as the major reason for her life without criminalisation. She reinforced that throughout the sessions with frequent use of the phrase 'that was your choice though'.

*'So, I've drawn a picture of a house, and a family, and my dog. I nearly forgot my dog till someone else said, and I felt bad. It just says – Love, hugs, happy, family, kids'. (Nat, criminal justice practitioner)*

She contrasted this view of herself by drawing what she considered an 'offending' woman (see bottom right of Figure 47). She described this as based on her experiences as a practitioner within a women's centre.

*'Round the sad face, I put things that I come across all the time. So, people who are scared, sad, who are angry, depressed, people with low mood, anxiety, and then tears. I see a lot of tears'. (Nat, criminal justice practitioner)*

Between these two depictions lay two paths. Nat's map demonstrated how offending was a choice for the women, how with a few bad choices she could have been one of them. Choice was emphasised. By doing so, Nat was communicating to the women around her that their social positions were a product of their incorrect choices.

Within Nat's map (see Figure 47), the women's centre forms a large part of the base, using the words 'empower, support, help, happy, safe, smile' to show the values of the centre; placing the women's centre at the heart of reformatory practises and transformation. However, the other images included in the map are the tools used to implement community punishment, including the hi-visibility vests that the women are made to wear during punishment. These hi-visibility vests were icons to represent the criminalised women Nat worked with. These vests were pictured by the

women in their photographs and identified as stigmatising. When one group were discussing their images (figures 48 & 49), one of the women told the group about the impact that being seen in one had had on both her and her child. I wrote in my research notes.

*She said she had been spat-at at the school gates. I asked why and she said that she had been doing community service at the women's centre. They were gardening and have to wear the coats even though it's in the women's centre garden. A woman she had fallen out with saw her through the railings and was shouting at her 'what have you don't then criminal?' she said she would normally stand up for herself, but her kids were looking at her. When on the way out after dropping the kids at school the women spat at her as she barged past.*

For Nat, the high visibility vests were simply a symbol representing the women she worked with, just an icon to demonstrate her role as a criminal justice practitioner, but the symbol has very different meanings for the women in the study who experience them as symbols of stigma.

Whilst Nat's map was intended to represent her life, the whole image communicated to the women around her that (a) offending was a woman's choice, regardless of circumstance; (b) a 'respectable' and reformed woman prioritises motherhood and the home, family and relationships, physical and mental health, and engaging in positive activities that centre around each of these priorities; and, (c) completing punishment at the women centre, whilst demonstrating a desire to (re)commit to desirable feminine characteristics is necessary to achieve the status of reformed and therefore respectable woman (fig. 47). The way the women highlighted these areas of their own lives in their maps, photographs and analysis, demonstrated the direct link between the practitioner's message, and the women's behaviours and attitudes.



Figure 48 High visibility vests in the women's centre





Figure 49 High visibility vests doing unpaid work.

By representing her life in this way, Nat showed how integral her role as a practitioner and the space of the women's centre is central to her identity. The women's centre acted as a space of empowerment for Nat, enabling her to provide for her children and live the respectable lifestyle she promoted to the women subject to punishment in the women's centre. In opposition to Nat's empowerment, the women in this study demonstrate the women's centre as a penal field. As such it is a field that holds ways for all of the actors present to build symbolic capital; not only the criminalised women who are building 'desistance' capital but also the criminal justice worker who can gain capital (both economic and symbolic) through her employment within the women's centre.

The practitioner and the criminalised women do not exist in the penal field separately but in relationships to and with each other. Researchers have highlighted the importance of the practitioner and 'client' relationship, noting the need for such a relationship for the criminalised woman (Anderson, 2016; Leeanne, 2012). However, this previous research suggests a symbiotic relationship, not just between the practitioner and criminalised woman, but between the practitioner and the CJS itself. Working within the penal field Nat was employed in a respectable position, giving her the security she did not get in her previous self-employed work. As such, Nat's map positions the women's centre (TWW in her map) at the forefront of her life and everyday experiences. To do her job, she not only facilitates community punishment but becomes a role model for the women to follow.

Her function within the CJS is to guide the criminalised woman through the process of punishment. Whilst doing this she inadvertently signifies to the women what reform and respectability look like and offers examples of how this should be achieved. In return, the CJS offers the opportunity of sustainable and meaningful employment in ways that were not provided when the women's centre belonged fully to the third sector and punishment was not a feature of the women's centre.

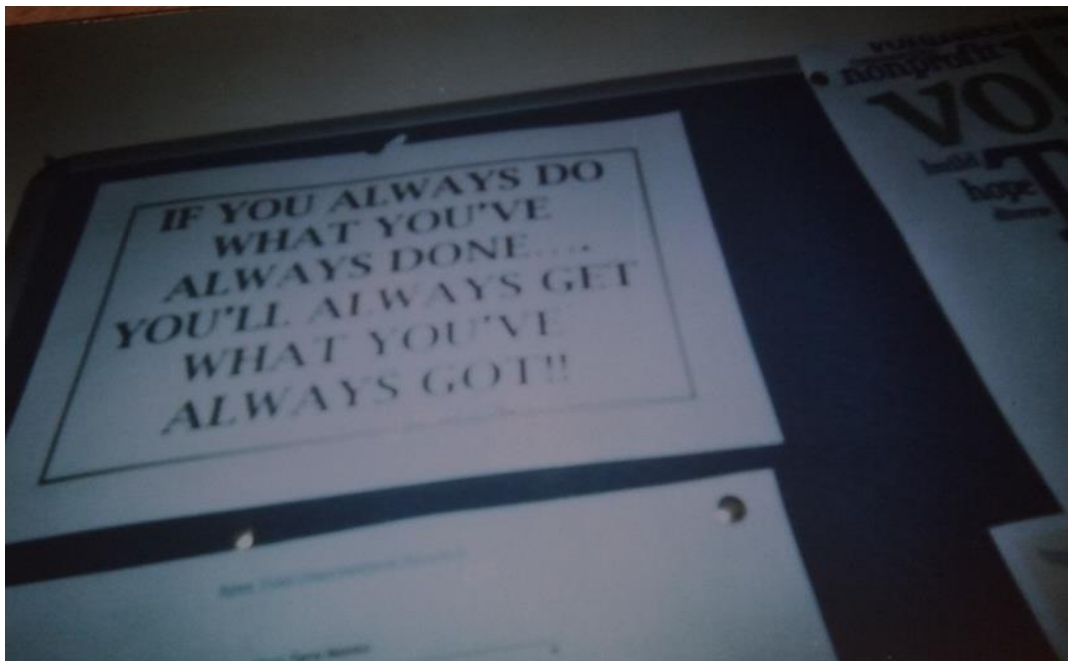


Figure 50 Notice board at the women's project

### *Practitioner understanding of crime and individual choice*

The interactions between Nat, the other criminal justice practitioners, and the women in this study were underpinned with discourses of individual choice; flattening any consideration of structural inequalities (such as poverty or domestic violence) in the women's criminalisation. The exchanges between the practitioners and the research participants emphasise the women's agency to make choices, prompting them to take responsibility for, and ownership of, their actions. This emphasis on choice is not only found in conversations with practitioners, but it's also found around the women's centre and peer mentoring project premises. Many of the women identified these messages within their photographs. For example, Figure 50 shows a photograph of a notice board in the peer mentoring office. The sign on the board reads "If you always do what you've always done, you'll always get what you have always got". The women spoke of how these messages were constant reminders of how they always needed to make the right choices, because ultimately it was their bad decisions that had led them to criminalisation, and it was only by making changes and different decisions that their lives could be different.

Choice is a significant notion in rehabilitation through community supervision. Prochaska, DiClemente and Norcross (1992) offer a six-stage model of cognitive processes, charting addiction to recovery (Healy, 2010). This model has been taken up within probation supervision as a way of assessing risk and setting goals with individuals under supervision. Despite the origins of Prochaska, DiClemente and Norcross' (1992) trans-theoretical model lying within addiction studies, it has been widely influential (Healy, 2010). The model has been adapted to offending behaviour, and a technique of interviewing used within the National Probation Service called the 'Cycle of Change' is based solely on this model (Norton, 2012). Healy (2010, p. 13) identifies how the model is useful as it 'represents a change process rather than an event and is, therefore, capable of capturing the dynamic nature of

Pre-contemplation stage	Unaware of the extent of their problem, do not view offending as problematic and have no intention of change.
Contemplation stage	Offending may have become problematic in their life; criminal justice intervention may prompt this. However, they have not committed to changing offending behaviours.
Preparation stage	Decide to address their offending behaviour.
Action stage	Begin to address the behaviours that lead to offending.
Maintenance stage	The offender fuses the changes they have made into everyday practice.
Relapse stage	Recognising that successful completion of the cycle does not ensure changes in offending behaviour, the cycle spirals back to an earlier stage on 'relapse'.

Table 6 The 'cycle of change' based on Prochaska, DiClemente, and Norcross (1992) adapted for offending behaviour (Healy, 2010)

desistance', whilst simultaneously acknowledging and accommodating relapses in offending behaviour. Yet, despite the model's take up within the Probation service, it has been critiqued for attempting to slot human experience into arbitrary labels (West, 2005), and ignoring social influences on offending behaviour (Barber, 2002).

What this model, and the consistent practitioner/intervention discourses of choice relating to change, show is that change is perceived as necessary. However, the emphasis is placed on the individual to change, and that change is simply a choice for the individual to make. The knowledge of choice becomes natural. Through the power of the structures that underpin the penal field, and the power held by the agents of the state within the penal field, the dominant discourse of choice becomes Doxa; the 'things people accept without knowing' (Bourdieu and Eagleton, 1992). Acceptance of the "choice" Doxa became apparent when the peer mentors discussed their mentee's engagement with the service.

*'[the desire to change] has obviously come from within, hasn't it? Because [support] can be there.... [but] if you're not ready like some of the clients that we have... [then it change won't happen] ... It doesn't even have to be wow, get up in the morning and that is it I am going now, it [can be] just sort of gradual'. (Frances, peer mentor)*

The peer mentors agreed with Frances's assessment of why some clients engaged and others did not attend or dropped out. The mentors did not assert that it was one big choice to no longer offend, but instead discussed it as making small 'correct' decisions daily which would direct them 'down the right path'. The peer mentors occupied a liminal space between 'offender' and practitioner, which saw them internalise and accept the practitioner-led 'choice' Doxa, embedding this newly discovered knowledge in their narratives. However, the key issue with the 'choice' Doxa and the culture of 'individual choice' within community punishment and rehabilitation services is the emphasis placed on agency instead of structure. In the case of Nat, this placed a barrier between her and the women she supervised, as she could not accept personal narratives that challenged her

belief that 'individual choice' was the most significant contributor to women's subsequent criminalisation.

Nat did not approach the women whom she supervised as individuals who had experienced trauma/ abuse that had contributed to their law-breaking and subsequent criminalisation. Instead, the women had made 'bad' choices that had led to law-breaking. This lack of recognition for the trauma/abuse the women had experienced meant that there was no possibility that Nat could/would offer a space for testimony and bearing witness in the way Anderson (2016) proposed probation supervision might. Indeed, Nat repeatedly dismissed the potential of structural influences and/or trauma-informed law-breaking by frequently reminding the women of their agency, their own 'choice'.

It appeared that Nat was not emphasising 'choice' as a way of blaming the women around her for their own criminalised position, but rather as a way of 'sensemaking' (Klein, Moon and Hoffman, 2006). The first appearance of choice was within her map. This could be understood as a mental model; a dynamic conceptual model that merges events and experiences and relates them to each other (Klien, Moon and Hoffman, 2006). Nat used her map to frame her life in relation to the women she works with, offering an understanding of her position within the penal field as related to the women around her. The use of 'choice' as the relational anchor is reflective of organisational discourse within the women's centre. A key example of this is how domestic violence is tackled within the centre.

### *Therapeutic intervention?*

Within the women's centre, all women who have experienced, or are currently experiencing, domestic violence (this applied to all of the criminalised women in this study) are encouraged, or sometimes ordered (by probation officers as part of the punishment, or social services as part of child contact arrangements) to attend the 'Freedom Programme'. Evolving from research with perpetrators of domestic abuse, the 'Freedom

Programme' is a 12-week course that seeks to educate women with experience of domestic violence about healthy relationships (Craven, 2017). The website states that the programme is an educational course, not therapy. However, in practice, the programme is often provided as the therapeutic intervention for women with domestic violence experiences, without further access to counselling or therapy. The information processed by the women during the course is intended to aid women in understanding the difference between healthy and violent relationships. However, a consequence of this information is the perceived 'choice' that women in violent/abusive relationships have. Unrecorded discussions about the 'Freedom Programme' between the women in the groups showed that whilst some of the women found the course useful, it was felt that the women's centre practitioners and probation officers had used it as a 'tick box' exercise. In my research notes I commented:

*She said, 'now you have done that, it's like they think you can choose not to be a victim again'. The rest agreed with her 'a lot of pressure'.*

Three of the women in this study, who were still in active domestic violence relationships whilst completing the course, said they felt especially helpless as they all identified themselves as being in domestic violence relationships but unable to change their situation at this time. They echoed the other women's experiences of probation officers treating domestic violence as an issue that had been dealt with on completion of the course, rather than as an ongoing experience in their everyday lives. The discourses they described were focused on the women now having the power, through the information gained on the course, to choose to leave their violent/abusive relationships.

Some scholars and probation practitioners (Anderson, 2016; Cluley & Marston, 2018; McNeill, Mark, Thomas, & Thornden-Edwards, 2017) place the probation worker as a therapeutic bystander who can 'bear witness' to the traumatic events that preceded punishment. However, these studies do



not recognise the trauma created during the criminalisation process, nor do they acknowledge the probation practitioners sustained role in the individual's criminalisation. By suggesting practitioners can 'bear witness', the practitioners become resituated as therapists, rather than agents of punishment and social control.

'Therapy requires a collaborative working relationship in which both partners act on the basis of their implicit confidence in the value of persuasion rather than coercion, ideas rather than force, mutuality rather than authoritarian control' (Herman, 1992, p. 136).

However, criminal justice practitioners are agents of the CJS, an institution of authoritarian power. In the case of gendered punishment, criminal justice practitioners are also often women's centre practitioners. The twofold nature of this role means that practitioners work to the dual and contradictory aims of 'empowerment' - whereby a therapeutic relationship may be developed; and 'punishment' - a relationship contrary to the aims of therapeutic intervention. The position of the criminal justice worker as a facilitator of punishment means that interactions are contained within a power relationship based on coercion, force, and authoritarian control, and as such, the criminal justice worker cannot perform the role of therapist. In contrast, as the criminalised women listened to each other's stories, cried together, laughed together, and showed understanding within the neutral space of this research, the potential for the women to 'bear witness' to each other's trauma became apparent.

Despite the inability of the practitioner to bear witness to the women's trauma, there is therapeutic potential in the practitioner's ability to offer a secure base in which to form a positive and healthy attachment. Plechowicz (2012; 2015) uses Bowlby's (1988) attachment theory to argue that female practitioners based in women's centres, with small caseloads, act as a 'secure base' for women traversing community resettlement. Plechowicz (2012) suggests that female lawbreakers are 'affected by their childhood attachment styles and the lack of secure base in childhood can result in low self-esteem, poor trust in others and a desire to find a secure base as an

adult' (p 44). In a similar rationale to Anderson's (2016), Plechowicz places great emphasis on the power that such practitioners have to heal women's past psychological issues through continued and persistent presence, without any reflection about the contribution oppressive structures within the women's current circumstances may make to their present state of mind.

The women in the study recognise that it is Nat rather than their probation officer or the wider team in the women's centre that is left to shoulder all their needs.

*'Last time I spoke to my probation officer we were outside, and I said can I have a word? And she came up to me and she couldn't remember my name, she didn't know who I was, erm and I was like wow' (Janine, community sanction)*

Janine discusses how she did try to ask for help with a situation from her probation officer outside of a scheduled meeting, but the probation officer did not remember who she was. As such Janine said she didn't feel she could trust her if she needed help or support. These sentiments were echoed by the other women.

*Shannon: Well I have only seen [probation officer] like twice, to sit down and talk to so... so really, in all honesty, I get more sort of... because I am with Nat more, I can open more to Nat.*

*Abbey: Nat is like our probation officer.*

*Helen: I just feel more uncomfortable you know because it is like their sort of keeping an eye on me, although Nat has to most of the time, but you know it is just that seniority kind of thing and I think if I do anything wrong then I see her it is like... Daunting.*

Shannon, Abbey and Helen discuss how, in the absence of their probation officers, they do seek Nat out as someone they can ask for help from. In this discussion, they effectively rule out the probation officer as a significant individual who could bear witness to their trauma.

It is not just Nat's job to be there for the women she is currently facilitating, but to build a successful larger community punishment 'project' in the

women's centre. A key part of the success of this project for Nat and the women's centre was ensuring 'outstanding' completion statistics (in the first year, all women who started community punishment completed their course) which led to winning awards in the criminal justice sector. As such, the priority for this small team and Nat was not providing a secure base for the individual woman passing through community punishment but proving the women's centre as an outstanding facilitator of punishment.

The divide between Nat as a supportive figure who had the potential to offer a secure base for the women she works with and Nat as a facilitator of punishment became most apparent in the images that were taken during the completion of community punishment hours. The women shared images of the backs of their hi-visibility jackets (Fig. 48 & 49) that they were always required to wear when undertaking unpaid hours. As they discussed what the images meant to their experience of punishment, Nat commented that 'they aren't that bad'. To which the women responded with phrases like 'that's easy to say, you don't have to wear one'. The requirement of being visibly labelled as someone under punishment contrasted with Nat, who may be completing the same activities as them but doesn't wear one, was a visible display of the power dynamic of receiving punishment (the women) and giving punishment (the practitioner). This relationship superseded all other actual or potential relationships between Nat and the women she supervises.

There are obvious problems with secure attachment approaches when we consider how the female practitioner must negotiate the needs of the individual client, the wider client group, and the pay-by-results targets of the TR regime; often with different and conflicting priorities, needs, and measures of success. The female practitioners introduce the intervention at the women's centre in this study as a 'service', using the language of the third sector when discussing their purpose and role. They detail that the centre is also intended as a safety valve for women to use when offending or at risk of offending, emphasising that women should transition out once

they are considered 'reformed'. The language used by the female practitioners contradicts both Plechowicz (2012) and Anderson's (2016) conceptions of practitioner values, responsibilities, and function. In contradiction to Plechowicz (2012; 2015) 'transitioning out' of the women's centre, the women's centre as a 'safety valve/net', and the provision of community punishment within women's centres does not speak to women forming long-term 'secure base' relationships with key practitioners. The reality for the women that pass through the centre via punishment, third party referral, or self-referral, is that the women's centre will offer a space for secure attachments to form for some women, although not necessarily with the professional staff. However, others will remain in the centre in need of further support that cannot be found elsewhere, or they will exit the service regardless of whether further support is required or not.

Within the context of the penal field, some of the most regular and significant contact between criminalised women and the CJS is not with practitioners at all. Occupying a liminal space in the penal field between being the subject of punishment and those facilitating punishment is the peer mentor. The next section will consider the role of the peer mentor as a developing practitioner of criminal justice in a women's only setting.

### *The role of peer mentors*

Mentoring is widely considered a 'voluntary, mutually beneficial and purposeful relationship in which an individual gives time to support another to enable them to make changes in their life' (Buck, Corcoran and Worrall, 2015, p. 154). Although not explicitly discussed in the Corston Report (2007), mentoring has become increasingly popular in both statutory and voluntary sector work with women inside and outside of prison (Buck, Corcoran and Worrall, 2015). That is perhaps because of the potential that mentoring holds in supporting and helping women to 'establish themselves in the community' (Corston, 2007, p. i) better than short prison sentences. However, mentoring is also a relatively low-cost way of providing an intervention that has the potential to appeal to different and sometimes

conflicting expectations (Brown and Ross, 2010; Buck, Corcoran and Worrall, 2015). As such, the changing penal environment of 'payment by results' prompted by TR, has meant that peer mentoring as a perceived rehabilitative intervention has become increasingly popular.

This study did not evaluate peer mentoring (see Corcoran, 2012; Buck, Corcoran and Worrall, 2015; Buck, 2017). However, it is important to reflect on the status given to peer mentors within the wider context of the settings within which the research took place. In this study, a group of peer mentors were selected for involvement for several reasons. Firstly, I was able to access this group easily as I had once been a peer mentor in the same organisation. Secondly, they had all experienced criminalisation within the last three years, and thirdly, they were all no longer subject to the demands of punishment. With the peer mentors being temporally further away from punishment, it was originally envisaged that their reflections would help to illuminate how punishment had intersected with their day-to-day lives, whilst also reflecting on the outcome of punishment. However, as the research developed, the role of the peer mentors became far more significant.

The research found how peer mentors were viewed as symbols of success in the penal field. During the process of working with both the peer mentors, and the women subject to community punishment through unpaid work, it was clear that the emphasis on the importance of mentoring was not necessarily the mentoring relationship, but how the label of peer mentor increased the mentors' worth within the penal field. By becoming a peer mentor, the women solidified their place as a 'success' that had emerged from the penal field. In addition, the support, solidarity, and complete lack of judgement the mentors showed to each other, as well as more recently criminalised women, created the conditions needed for peer recovery to occur. This mirrors existing literature on mentoring that states 'while aftercare programmes focus on surveillance and services intending to

reduce recidivism, mentor programmes focus more on role modelling, support, and general wellbeing of offenders' (Trotter, 2011, p. 261).

During the research, a number of women were highlighted as 'success stories' or were being mentored as future success stories. These women were talked about by staff at the various institutions in overtly positive ways that also took ownership of part of that success. Phrases such as "I would like you to meet XXXX, she is volunteering with us now and she is one of our superstars!" were commonplace. Individual success stories were presented to me at each research site. I was also introduced as a success story to the first group of peer mentors I met, specifically as one of an earlier batch of peer mentors that had 'done good'.

This prompted critical reflection on the function of the 'success story' narrative within punishment, rehabilitation and reform practice. Success stories were hugely important to the women, the practitioners, and the institutions themselves. Not only as an observable measure of success that practitioners and institutions could use to demonstrate the value of a specific intervention, but also as a way of communicating acceptable behaviour. Success stories showed criminalised women what they had to strive towards, reinforcing the characteristics required to demonstrate desistance in clear and replicable ways.

Success, in terms of desistance, is almost impossible to quantify. Success means reform, and within different social and historical contexts, the reform of a criminalised woman has meant different things. Yet in a contemporary criminal justice context success does mean 'desistance'.

'It was shocking how many [voluntary sector] staff and managers were familiar with and motivated by the desistance literature. As several told me, if desistance is the theory, the St. Giles Trust [charity] (with its commitment to hiring ex-prisoner resettlement mentors) is very much the practice.' (Maruna, 2012)

Peer mentoring, then, is viewed as 'desistance' in practice. Indeed, the peer mentors in this study were all considered as desisting from further law-

breaking behaviour. This, however, very much places the purpose of the peer mentor role as benefiting the mentor, as well as the mentee. The potential of mentoring to fulfil the promise of this mutually beneficial relationship is through peer recovery.

Peer recovery is not a concept traditionally considered within the criminal justice context unless associated with drug and alcohol use. However, the notion of peer mentoring has more recently become a tried and tested approach within CJS's – with the peer mentoring relationship now used extensively within prisons, women's centres, and community services (Buck, 2017).

'In the UK context, interest in the practice has been buoyed by an idealist discourse wherein peer mentors are framed benevolently as "wise friends" or "old lags" [ex-convicts] helping offenders onto the straight and narrow' (Buck, 2017, p. 1027).

The peer mentoring relationship within a criminal justice setting is not necessarily focused on overcoming the traumatic effects of criminalisation, but about introducing positive role models that can guide the 'offender' towards desistance. However, peer support is imagined differently within recovery movements.

'Recovery movements in substance abuse, mental health, and dual diagnosis have long valued peer support as a critical element in their success. For trauma survivors, mutual support is often a powerful antidote to feelings of shame, alienation, and loneliness' (Fallot and Harris, 2002, p. 482).

The women in this study were a mixture of peer mentors - whose purpose was to assist female 'ex-offenders' into education, training, and/or employment - and women who had only recently become subject to punishment and were still under supervision. However, many of the women showed signs of engaging in peer recovery relationships that were separate from any formal peer mentoring role. It was the lack of power inequalities in the mentor and mentee relationship that, unlike the practitioner/'service

user' (criminalised woman) relationship, fostered an environment for peer recovery through mutual support (Tolan *et al.*, 2008; Trotter, 2011).

It is theorised that 'bearing witness' can aide in the remaking of the self and positively assist in processing trauma. Within this study, the peer mentors played an important role in 'bearing witness'.

'Working through, or remastering traumatic memory (in the case of human-inflicted trauma) involves a shift from being the object or medium of someone else's (the perpetrator's) speech (or other expressive behaviour) to being the subject of one's own' (Brisson, 1999, p. 39)

The process of 'bearing witness' to trauma facilitates this shift from the women in this study being subject to the power of the perpetrator of trauma - in this case the CJS - to constructing their narratives that recognise and retell their stories of criminalisation as victims. This process can transform traumatic memory into a 'coherent narrative that can be integrated into the survivor's sense of self and view of the world' (Brisson, 1999, p. 40).

Anderson (2016) proposes that probation officers are uniquely positioned to 'bear witness' to the trauma narratives of individuals subject to probation supervision. However, the situational relationships between the women who shared similar experiences of punishment and trauma offered an opportunity to observe 'bearing witness' in practice; evidenced particularly in Sarah's remaking of her narrative self.

Sarah had previously talked about being a different person and losing the life she had before criminalisation. However, as the research progressed and Sarah shared more of her narrative about her life, the conviction she had received, and life beyond punishment, she stated:

'Revisiting it and things like that, it wouldn't bother me now because that process does not define me. I will not let it. I am not a bad person. What I did, ... it's not me as a person, I am not that person. So, it doesn't bother me now'. (Sarah, peer mentor)



At the start of the research and in the quote above, Sarah repeated the same phrase - 'I am not that person' - almost word for word. Yet in between the two occasions, there had been three separate research sessions during which Sarah had been able to construct her narrative about the traumatic events from both her past relationships and her experiences of criminalisation. Her narrative was believed and reaffirmed by both me, as a researcher, and her fellow peer mentors. As such we 'bore witness' to her trauma and she emerged from the research process with a remade narrative of herself and her experiences. Sarah is an example of how the use of participatory methods that attempt to flatten power hierarchies within a group setting can offer a transformative space within which a remaking of the self through narrative analysis can begin.

Brison (1999) states that reliving traumatic memories can be traumatic for both bystander and the survivor of the trauma. However, 'narrating memories to others (who are strong enough and empathetic enough to be able to listen) empowers survivors to gain more control over the traces left by trauma' (Brison, 1999, p. 40). On criminalisation, it is necessary for women subject to punishment to become narrators of their own lives, particularly the aspects of their lives that relate to punishment. How they can talk about these experiences and how these stories are received is dependent on who is bearing witness to their testimony.

The peer mentors showed that they were capable of bearing witness to their mentees' trauma. Rather than become frustrated and question their mentees' commitment to desistance and change, the peer mentors instead adopted an understanding, empathetic, and non-judgmental position.

*Jessica: But to be fair to these people [mentees] that aren't turning up, they are now in the positions that we have been in ...*

*Sarah: Yes, they are scared, aren't they?*

*Frances: I can fully understand why these people [mentees] aren't turning up and failing to engage and things like that because I have been there.*

Providing a halfway point between friend and practitioner, peer mentors help to build relationships that promote positive involvement with support services and more formal practitioners.

[those] who did not have significant relationships with family and friends, were also unlikely to access formal services for any form of support. The separation they experienced from relationships with family and friends was also reflected in their separation from society and any other forms of support available' (Deakin and Spencer, 2011, p. 251).

The process of becoming a peer mentor was, for some of the women, a formalisation of social interactions that were already occurring in group settings within the women's centre. The women subject to unpaid work showed the importance of mutual support in making the experience bearable. Abbey highlighted this whilst also placing positive labels on her peers.

*'I don't mind coming to unpaid work, because I'm with a group of good girls. Nobody judges me and I don't judge them'. (Abbey, unpaid work)*

Abbey mirrors the practitioner's language by referring to the group as girls. However, she subverts the label of 'bad' girl by replacing this with 'good girls'. Within this statement, which was made towards the whole group, Abbey affirmed her support to them and recognised the mutual respect within the group that stemmed from a lack of judgement of each other. Janine also talked about not being judged.

*'...the positive is working with these people. And being able to talk about what we do and not being judged. And being able to talk and have ... [starts to cry]. Knowing what you are feeling and being able to talk to them'. (Janine, unpaid work)*

Janine emphasized not only not being judged, but also on being able to share her story, her emotions and feelings. Being able to talk, to make her testimony and be believed, is a key part of the process of bearing witness. In these moments, Abbey and Janine showed the informal solidarity offered by other women at similar stages of punishment, showing the potential to bear

witness to each other's stories of trauma – to truly listen without judgement and understand from the perspective of someone who had experienced similar trauma (Herman, 1992).

The observations made within each of the study sites showed that, whether formalised through peer mentoring or not, the process of listening and affirming each other's narratives in a group setting is an important everyday occurrence within gendered spaces of punishment. Many of the women within this study had experienced domestic abuse or other traumatic experiences (including the process of criminalisation itself) which had left them isolated (practically and emotionally) from meaningful contact with other women who could provide empathy, understanding and validation. The peer mentor process formalised this, whilst also intersecting with the aims of reform or rehabilitation as imagined by the facilitating charity or service.

Within the formalised peer mentor relationship, the peer mentor becomes an extension of the CJS. She keeps notes on her interactions with her 'client', the types of interventions or strategies she has tried to suggest, and records of the mentee's engagement. These activities have become central aspects of the peer mentor role. However, whilst it is the procedural aspects of the role that are deemed important to supervision and risk management, it is the humanist behaviour and non-judgemental, empathetic outlook that creates the opportunity for healing and recovery from trauma through peer support. The status given to the peer mentors as identified success stories, who are emerging, but not yet released from the penal field, places the peer mentor in a significant space between the criminalised woman and criminal justice practitioner. The significance of success in demonstrating desistance and managing trauma becoming formalised in the peer mentor role places the peer mentor in an important position as a key marker of what desistance and reform 'look like'. As such, both the peer mentor and female practitioners become key actors in the process that informs the women's knowledge of how to navigate the penal field successfully without

experiencing further criminalisation. This process can be understood through the concept of mimesis.

### *Observations of mimesis*

The observations made during the process of this research showed from very early on in the process that the women were looking to Nat, other practitioners, volunteers, peer mentors, and even myself, for cues on how to present themselves and how to behave to be considered 'respectable' and 'reformed' – how it looks to others when trauma is managed and desistance is demonstrated. This happened in two distinct ways. Firstly, through mimicking both mine and Nat's behaviour, and secondly, by mimicking Nat's, and for some of the women, each other's desires. This mimicking or imitation can be considered 'mimesis' and offers us a way of understanding the important role played by other women in the process of negotiating criminalisation and gendered institutional social control. The term mimesis is generally understood as describing the relationship between art and nature (Spariosu, 1984). Used in various areas of the arts, humanities and philosophy, the meaning of mimesis is open for various interpretations. However, in its simplest form, mimesis is often used in philosophy to consider imitation, of an 'original' by a 'copy' (Spariosu, 1984; Taussig, 1993).

For all women, there is a gendered ideal that is considered 'natural'. This is women as natural mothers, homemakers, etc. (Moller Okin, 1979). Women present themselves as gendered beings who are mimicking this 'natural' ideal to harness the power of respectability that comes from becoming a skilled mimic. The 'original' here is the myth of hegemonic femininity that in western culture, is predominantly white, able-bodied, heterosexual and middle-class. The 'copy' is not the women themselves, but the knowledge and "truth" we assign to the original. For example, myth and poetry have been considered the natural original, with science and philosophy existing as the copy (Spariosu, 1984).

‘Power conceives itself first as spontaneous, free, or ‘natural’ movement (play), and then as reason and ideal form, infinitely removed and inaccessible, but still negotiable or representable as an imperfect copy’ (Spariosu, 1984, p. III).

There is power in the original that can be transferred through the authority of the copy. As such, by adhering to the rules of the copy – how the gendered ideal has become enacted and embodied through class, sexuality, and ethnicity – women can gain some of the power, status and respectability held by the original. Adorno (1997) calls this the ‘mimetic taboo’ - ‘A keystone of bourgeois ontology’ (p117) - the transformation of non-imitative into imitative mimesis (Spariosu, 1984). What this means is that rationality requires mimesis, when we fail to perform mimesis, such as failing to adequately conform to gender norms, we are considered abnormal which can lead to criminalisation.

To consider the role of mimesis in the lives of women subject to criminal justice intervention and community sanctions we need to begin with an understanding of where these women ‘sit’ in relation to nature (original) and ‘art’ (copy). Fitting into neither original nor copy, the criminalised woman is charged with breaking the rules of femininity; she is ‘unnatural’.

‘The unruly woman is the undisciplined woman. She is renegade from the disciplinary practises which would mould her as a gendered being. She is the defiant woman who rejects authority which would subjugate her and render her docile. She is the offensive woman who acts in her own interests. She is the unmanageable woman who claims her own body, the whore, the wanton woman, the wild woman out of control. She is the woman who cannot be silenced. She is a rebel. She is trouble’ (Faith, 1993, p. 1).

On becoming criminalised, if not before, the ‘unruly’ woman does not fit the narrow conception of hegemonic middle-class femininity that is considered the ‘natural’ original. Nor does she suffice as a copy. Criminalised women are outside the boundaries of natural behaviour. As such they are subjugated, oppressed and powerless. Whilst the process of mimesis transfers some of the power of the original to the copy (Taussig, 1993), by

rejecting the ideals of the original, criminalised women remain outside of this process and therefore powerless.

It is through processes of mimesis that the women understand how to demonstrate characteristics of desistance and reform. The concept of mimesis assists in understanding the actions that replicate and reinforce key characteristics of hegemonic femininity. In this research, this process can be seen most clearly in the demonstration of key characteristics of desistance, these are the same characteristics that describe what is considered 'normal' and 'natural' as a woman.

### *Mimesis and power*

When entering the penal field for the first time, the newly criminalised woman does not know how she should act to accrue desistance capital, or that this may be desirable as a way of negotiating punishment. It is only after spending time in the field that women are exposed to more powerful actors - such as practitioners, mentors, and those acclaimed as 'success stories' - that it becomes apparent how little power they have in this field. The women in this study all showed that the characteristics of desistance were taken directly from messages conveyed to them, some subtly other not so subtly, by the female practitioner. The female practitioner thereby became the focus of mimesis (Taussig, 1993).

'The wonder of the mimesis lies in the copy drawing on the character and power of the original, to the point whereby the representation may even assume that character and that power' (Taussig, 1993, p. xiii).

It is in the mimicry of the 'original', embodied in the practitioner, the mentors, and the 'success story' (the copy), that the criminalised woman, can take on similar characteristics or behaviours that accumulate some of the power that the 'original' possesses. By taking on some of the characteristics of 'the copy', such as mothering, homemaking, and physical transformation, the criminalised woman emulates and then begins to transform into a copy herself. It is through this process that the social

constructions of middle-class femininity and desistance become 'natural' (Taussig, 1993). Once naturalised, these social constructions become the doxa that all criminalised women are measured against.

The key themes that arose in the narratives provided in this research were what I have described the 'characteristics of female desistance'; motherhood, homemaking, and transformation of the female body. For a woman to be considered a reformed character who is desisting from crime, she must demonstrate a (renewed) commitment to these aspects of her life. These key characteristics also relate what it means to be 'a woman', as dictated by the 'original' or 'natural' forms of femininity, centre on the women as a mother, wife, homemaker, and an embodiment of health and wellbeing.

Examining key areas of Nat's map, we can see that she segmented her map into these categories as well. As figure 47 shows, she dedicated an area to her kids and her home. This was because for her being a good mother came hand in hand with keeping a respectable house. Indeed, when Nat drew her map, she began with this section. As she was drawing her map, most of the women paused to observe exactly what she was drawing, with women from the opposite end of the table coming up to view her map at different stages and/or ask what she was putting on it.

The mimesis that occurred during the map-making session was about emulating the way in which Nat talked about herself through her map. The women then went on to do the same, particularly where their lives shared similarities with Nat's - such as motherhood. At this stage, the mimesis observed was about mimicking Nat's actions or speech to harness some of the power she held in the penal field as a 'powerful' practitioner. However, the women did not solely mimic Nat's actions and commentary. When working with a group of peer mentors on my own, without Nat or any practitioners present, the women began to mimic me.

During one of the sessions with peer mentors, I made my own map (figure 51). To place the women at ease, as they were nervous about sharing their stories, I narrated my map to them first. To do this, I pinned it up on the wall and pointed to each section in turn as I discussed my experiences. We then went around the table where the rest of the women shared their maps in turn. When it came to Christie's turn (figure 12), she took her map off the table and pinned it next to mine on the wall. She then proceeded to narrate her experiences, pointing to and sometimes underlining or crossing out, sections to emphasise the role of that place or space in her narrative. Due to my introduction by the CEO (and gatekeeper) to the charity, the peer mentors were aware of my biography, and that I too had once been a peer mentor there. As such, the women related where they were (peer mentoring) to where I was (no further convictions, earned a degree, completing a PhD, with a job, and away from an abusive partner). They did this by making statements concerning my map, such as, 'now I've seen this, I feel like I could do it' (Sarah), and 'If you can do it, I can do it too' (Christie).

In both of the research contexts - the peer mentoring project and the women's centre - the women who took part in the research looked to the most powerful in the room to see what/how they were doing, and then tried to emulate that behaviour or attitude in their own practises. For example, in the peer mentor charity, that meant Christine and the other women looked at my map, and how I had talked about it, to construct and talk about their maps. When presenting her map, Christine's actions completely mimicked my own, whilst the other women copied the spatial layout of my map or specific elements of the map, including places such as the local hospital maternity unit, or mapping between different places with dotted lines. In this way, my map also informed the women's focus and aspirations. In contrast, in the women's centre, the women did not mimic me. Instead, the focus of mimesis for them was Nat. As the facilitator of punishment, Nat was the most powerful person in the room. Through offering her experiences, producing her map (see figure 48), and sharing images she had taken, she



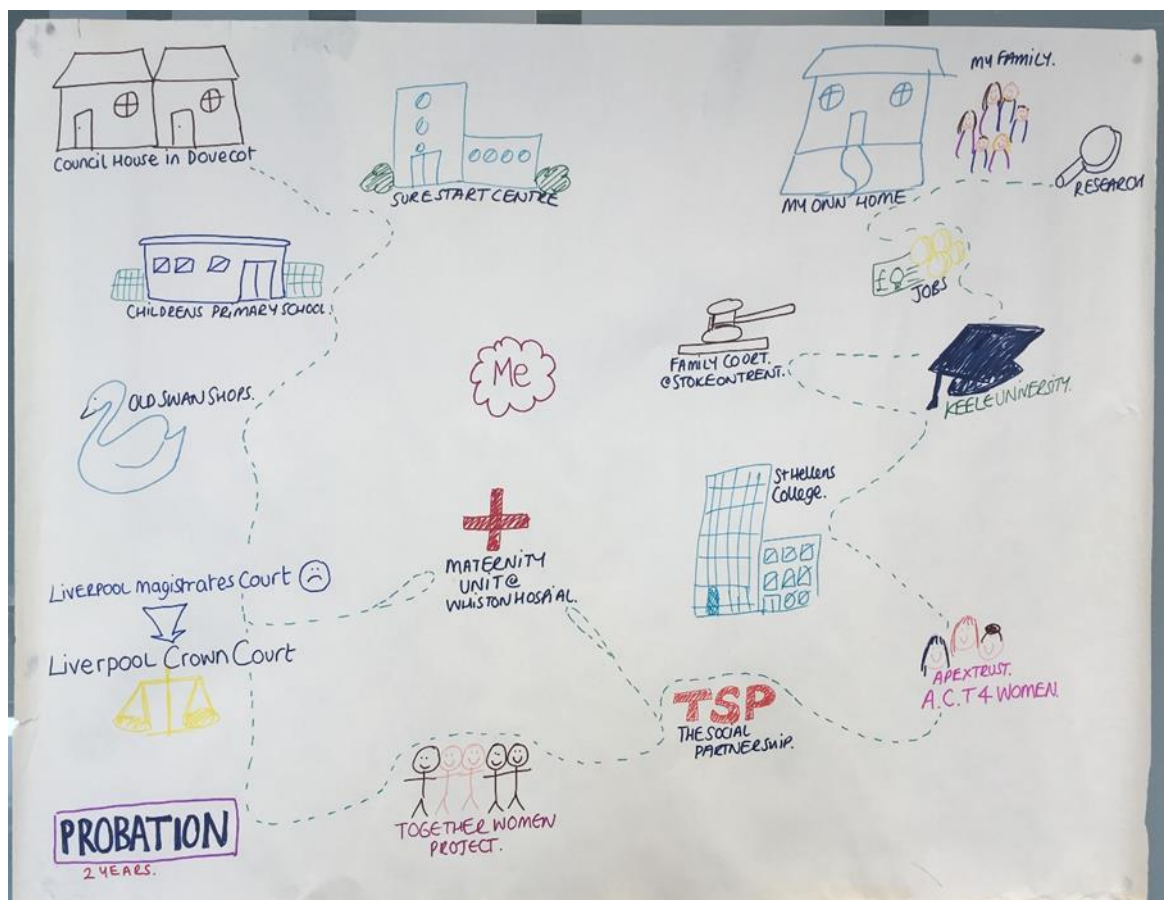


Figure 51 Map. Nicola, researcher.

demonstrated key messages about what a reformed and 'respectable' woman should look like and value.

Although Taussig (1993) describes mimesis as a process in which power is transferred or at least perceived to be transferred by emulating the original, the women also demonstrated a mimicking of the original through desire; to be more closely like the original, or to desire the same things. Whilst copying actions and speech may explain why the women displayed the characteristics of desistance in their maps - their maps were almost direct copies of the practitioner's map - it does not necessarily explain why the women identified the same categories as the practitioner included on her map when she was absent or had not made a contribution. However, mimesis is not simply mimicking actions and speech, but also desire. It is through Giraud's (2008) notion of mimetic desire that the mimicry of the practitioner's actions (for example, when making the maps), became a demonstration of potential future action (or desire to demonstrate desistance, even if actions towards that desire weren't present).

### *Mimetic desire*

The key difference, according to Rene Girard (2008), between role models and the focus of mimetic desire is that role models are placed in front of us as upstanding members of the community, whom we should look up to and whose actions we should emulate to behave appropriately. Mimetic desire, on the other hand, occurs not only when the ideal role model is highlighted, but 'across time and space, prestige and social hierarchy' (p247). Mimetic desire states that we all inevitably desire the same thing.

Girard declares that 'at the origin of a desire there is always the spectacle of another real or illusory desire' (1961, p. 126). The desire amongst the women in this research, including the peer mentors and practitioners, was the desire for respectability. Whilst each of the individual desires that Nat and the women showed in their maps, letters and photographs do not necessarily appear directly linked to respectability, the power that Nat held

as a woman, working as a criminal justice practitioner, free from the stigma of being a criminalised 'other', meant that the desires she demonstrated become representative of what the women should desire to become closer to Nat's status as a respectable working-class woman.

A key section of Nat's map that was identified by the women as a focus for mimetic desire was where she highlighted the importance of her going to the gym and a plane for holidays (fig 47). She explained:

*'Erm, health and wellbeing. It is important for me to keep myself healthy and go to the gym, even though I smoke. My little easy-jet aeroplane there, because I love to go away to the sun. Relax, unwind, have family time. Because I feel like, I feel like now I have more balance between family and work' (Nat, criminal justice practitioner)*

As she presented this, the images she has drawn were not just mimicked through placement on their maps, but registered with the women as a desire that they should also have to be more (powerful) like Nat. This later showed in the images produced by the women, such as the images of the waterfront (Fig 52), lighthouse (Fig 54), and word 'me' written in the sand at the beach (fig 53). All three of these images were taken by the women's centre group after the map-making sessions within which Nat made her map. They directly respond to Nat's desires to be on holiday, in the sunshine, and by the beach.

Girard (2008), however, issues a warning about the danger of mimetic desire, stating that to borrow the desires of someone we admire or strive to emulate, we must engage in mimetic rivalry with them. Ultimately, when these desires cannot be actualised and we lose, the loss reaffirms the social control that the focus of mimetic desire has over the 'other'.

*'Our models successfully thwart our desires, and because we admire them, we feel rejected and humiliated. But since their victory over us confirms their superiority, we admire them more than ever and our desire becomes more intense' (Girard, 2008, p. 248).*

The desires belonging to Nat that the women then emulated in their images and maps as a form of mimetic desire are generally outside of the women's



Figure 52 Waterfront



Figure 53 This is me.



Figure 54 Lighthouse.

current capabilities to manifest. Structurally they do not have the opportunities or resources to achieve them at this time. Even when they could be realised - by visiting the local beach to take the photographs depicted in figures 52, 53 and 54 - this was a compromised depiction of the original desire. Nat could, and does, go on holidays abroad due to her social and economic capital that comes from having a job, friends and family with second homes abroad, and a lack of restriction on her movements. This contrasts starkly with the women in this research who were experiencing poverty, whilst often single parenting and enduring the conditions of community punishment. By identifying with Nat's desires, the women ultimately became even more marginal, as Nat experiences the life the women desire but cannot have.

The concepts of mimesis and mimetic desire explain the social process at work that informed the criminalised women's behaviour and the various articles of data they produced. At key moments, mimetic behaviour was directly observed, through direct mimicry of the practitioner, peer mentor or my behaviour. At other times, particularly in the 'Dear future me...' letters and the photographs produced, key themes from Nat's map were replicated as key foci for the women's desires. In many cases, both mimesis, through direct mimicking of behaviours, and mimetic desire, through the identification and replication of Nat's desires, was evident. For example, in addition to the images of beaches, the images of slimming clubs and healthy eating presented in Chapter 6 demonstrated desistance through both mimesis, indirectly emulating the data produced by Nat in her map, but also mimetic desire, through the identification of these symbols as aspirational and far removed from their current experiences.

### *Conclusion*

Desistance literature is fixated on discovering the vehicle that facilitates identity change from 'offender' to 'desister', or reformed character. The focus of this desistance work is how external behaviours or narratives are indicators of fundamental identity change. Practitioners, and the processes

of punishment and supervision they facilitate, are viewed as playing crucial roles in guiding, observing and documenting this process of change using very specific turning points or narratives as signals for successful desistance. As such, the role of the female in gender-specific spaces of punishment, such as the women's centre, is an important one. Research has suggested that the female practitioner may be capable of providing a secure base for the criminalised woman to form healthy attachments to and as such, learn how to behave appropriately. Alternatively, others propose that the practitioner may offer opportunities to overcome trauma. However, there has been an over-emphasis on the practitioner's role in aiding criminalised woman to overcome trauma. This has mainly focused on the concept of 'bearing witness' through focused listening.

Even though 'bearing witness' to the testimony of criminalised woman can reduce trauma, all women subject to punishment need to be accepted as victims of criminalisation, not only victims at the hand of others before law-breaking. The emphasis placed on individual choice by female practitioners', as Nat frequently affirms that 'that was your choice though..' to the women in the group, signals that the practitioners view the women's experiences as a product of their own bad choices, not as a product of victimisation or oppression. This renders the female practitioner unable to bear witness and aide in the women overcoming her experiences of trauma.

This disconnect between the criminalised women and the female practitioner was evident in the inability of the practitioner to understand the role of laughter in forging the human connections required to overcome trauma; instead, reading it as sick, dysfunctional, and/or dangerous.

The findings of this chapter do demonstrate that bearing witness to the testimony of criminalised women and their experiences of criminalisation and the criminal justice process, can assist them to overcome trauma. However, it is the other criminalised women and peer mentors, not the practitioner, that can do this. The co-produced nature of this research



offered the space for women to tell their stories whilst their peers witnessed their testimony and validated their experiences.

One of the main barriers to the female practitioner bearing witness is the position of the female practitioner as a facilitator of punishment, a punishment that contributes to the trauma women experience during criminalisation. Even when the female practitioner was not involved in direct punishment, a barrier was caused by the overarching narratives of personal choice, told from the perspective of Nat, the female criminal justice practitioner. This meant that women's experiences of trauma stemming from oppression, injustice, and victimisation could not be understood and validated by the practitioner. As such, any promise of Nat as a witness to the women's trauma was lost.

Unlike the practitioner who was unable to perceive the women as victims of traumatic events as well as women who had been criminalised, the women were able to empathise and validate the traumatic experiences told between each other. This peer support became more formalised in the role of the peer mentor. With this formalisation between the mentor and the criminal justice agency, the role of the peer mentor became a marker of success. As such the behaviour, attitude and actions of the peer mentors also became markers for desistance. Operating as somewhere between criminalised woman and criminal justice practitioner, the peer mentor also plays an important function in highlighting the key characteristics of desistance and how to successfully manage trauma.

The observation of mimesis and mimetic desire in this research unveils a previously unconsidered social relationship between the criminalised woman and female practitioner (and peer mentor) that informs the women's ability to craft an impression of a desisting and reformed identity. Unconcerned with actual law-breaking, the actions of demonstrating desistance and managing trauma, underpinned by processes of mimesis and mimetic desire, show that the context within which community punishment

and probation supervision occur, and who is involved in facilitating surveillance and punishment, are fundamental to determining who becomes a success and who becomes re-criminalised. The next chapter will use this observation of mimesis to understand how the identified actions of managing trauma and demonstrating desistance work together, in harmony and conflict, as women attempt to traverse community punishment and probation supervision without further criminalisation.

## Chapter 8: Discussion

The experiences of women subject to community punishment and probation are demonstrated by the images, maps and stories the women offered as representations of their daily lives and through observations of the social interactions that take place within the penal field of the women's centre, specifically between criminalised women, peer mentors, and the female criminal justice practitioners that operate the women's centre. What this shows is how criminalised women must balance demonstrating a (re)commitment to gendered responsibilities such as motherhood with visible management of often gender-based trauma. This chapter will bring together the notions of 'managing trauma' (chapter 5) and 'demonstrating desistance' (chapter 6) to establish how these two seemingly separate concepts are worked and managed - in cooperation and conflict - by women who are subject to probation supervision, both during their sentence to punishment and beyond. This helps us to understand how women experience punishment in the community, including how it intersects with personal troubles already experienced in their own daily lives. To understand how changes in criminal justice policy, through the implementation of TR, have shaped this experience this chapter will also consider the (female) practitioner and peer mentor within gender-specific penal environments such as the women's centre. This is because TR shifted women's community punishment into women's centres, changing not only the environment within which punishment occurs but who it is that is administering punishment. Punishment in the women's centre space means that the female practitioner and the peer mentor become central actors that shape how women experience community punishment. The relationship between the female practitioner and criminalised woman in the penal field allows us to view the mimetic mechanism that informs the social processes of demonstrating desistance and the management trauma (chapter 7). Finally, and critically this discussion will highlight the importance of the feminist PAR methodological framework for making space within which

intricate behaviours and interactions took place that made the proposed model visible and a space of transformative action.

### *Navigating criminalisation: A theoretical model*

Using Bourdieu's (1986a) theoretical toolkit, I propose a dynamic model to theorise how some women can successfully navigate punishment without becoming subject to further criminalisation, whilst others become subject to further sanctions, and/or institutional warehousing. Institutional warehousing occurs when an individual completes their sentence to punishment but remains within the penal field (i.e. the women's centre), remaining in a liminal space between punishment and 'reform'. This model highlights the different ways that criminalised women experience punishment in the community. It recognises, and emphasizes, how women's agency is used to navigate the structures that are placed around them during the process of criminalisation and community punishment, rather than accepting the commonly held assertions of desistance as a theory of change.

It has become widely accepted, particularly by scholars examining the experience of women subject to punishment both in custody and the community, that successful reintegration into society means providing interventions that promote desistance. As Deakin and Spencer (2011) highlight,

'In the UK most researchers agree that central to the success of this transition from prison to community is an understanding of women's needs in relation to desistance... .. and, consequently the reflection of those needs in the nature and quality of the support offered in the community' (p242).

Yet theorising an understanding of the diverse experiences that account for why some women can resist further criminalisation, whilst others will become subject to further punishment and/or institutional warehousing, requires a dynamic theory that does not merely seek to understand the conditions that lead to cognitive change and measurable actions. This doctoral research maps out a new theoretical model that demonstrates

dynamically the way in which criminalised women navigate institutional social control. The model begins with how criminalisation is experienced, before moving on to how the period of punishment is negotiated and ending with how these factors determine the outcomes for criminalised women within the structures of contemporary criminal justice and wider society.

This model poses a direct challenge to the variety of theories that come under the umbrella term desistance. In contrast to desistance theorists that aim to pinpoint how people change from a 'lawbreaker' to a 'desister', with the focus predominantly on the mechanism by which change occurs, this model challenges the weight that is given to psychological and/or internal factors. Instead, the model focusses on the social processes within which we deem 'desistance' to occur. This model captures, through recognising criminalised women's experiences, how external structures shape an individual's ability to manage social interactions. By doing so, it recognises, how these social interactions are received and understood by the individuals who are tasked with reinforcing the oppressive structures that led to criminalisation in the first place. The theoretical model - visualised in figure 55 and 56 - demonstrates the journey of the criminalised woman through the penal field.

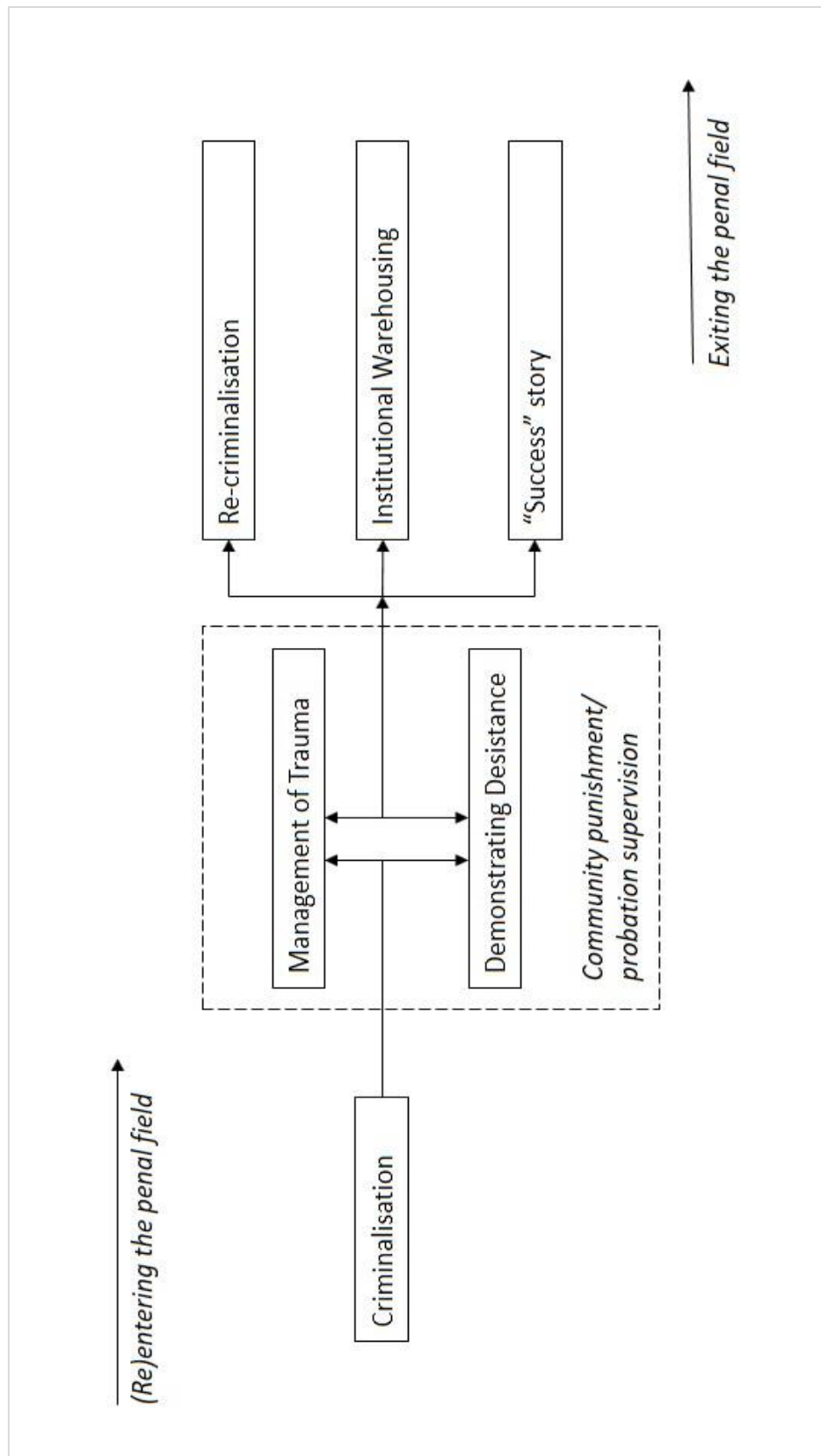


Figure 55 theoretical model.

## 8.2 'Desistance capital'

This research, including the data produced (in the form of photographs, maps, and creative writing) and the early coding and analysis of the data by the criminalised women themselves, demonstrated that a number of social processes were at play for the women during the period of community punishment and probation supervision and beyond. The experiences conveyed by the women in this research were not only sharing their daily lives but creating a very specific impression – the impression of a desisting, reformed woman. Bourdieu's (1986a) theoretical toolkit of habitus, social capital and fields offer a way of theorising how these social processes come together to create the conditions that helped or hindered rehabilitation and reform for the criminalised women.

Bourdieu's (1986a) work began to emerge within criminology and desistance theories within the work of Stephen Farrall (2004) who examined the role of social capital in probation work to promote desistance. Here Farrall (2004) highlights the conflict between how the social processes associated with social capital have been debated by various theorists. For example, whilst Bourdieu (1986b) suggests that social capital is the social connections between people, Coleman (1988, 1990) asserts that it is a resource that emerges from an individual's social ties. Further still, Putnam (1995) and Fukuyama (1995) claim that engagement in civil society and 'trust' are more appropriate ways in which to operationalise social capital.

When the concept of social capital is transposed into theories of desistance, social capital:

'Originates in socially structured relations between individuals, in families and in aggregations of individuals in neighbourhoods, churches, schools, and so on. These relations facilitate social action by generating knowledge and sense of obligation, expectations, trustworthiness, information channels norms and sanction' (Hagan and McCarthy, 1997, p. 229).

When interpreted this way, social capital appears to blend seamlessly with theories of desistance that place emphasis on employment and family formation (Laub and Sampson, 2001) as social institutions that promote desistance by increasing social capital. However, when examining the original conception of social capital by Bourdieu (1986) we see that social capital is the *product* of social relations, not the social relations themselves.

‘[Social capital] is the aggregate of the actual or potential resources which are linked to the possession of a durable network of more or less institutionalised relationships of mutual acquaintance and recognition... which provides each of its members with the backing of collectively owned capital’ (Bourdieu, 1986b, pp. 248–9).

As such, whilst the application of social capital to desistance theory focuses on the accumulation of social capital through family relationships and employment, this research takes an important step back to understand how everyday social relationships within the penal/criminal justice field build social capital that is specific to the power dynamics situated in the field of punishment. This study shows how family relationships (such as motherhood) and employment opportunities (such as mentoring) can be used to influence social relations within the penal field to build ‘desistance capital’, rather than simply producing social capital in their own right. In other words, it is not the action of being employed or being a mother that produces social capital within the penal field (where it may produce social capital in other fields). Rather it is demonstrating or desiring those characteristics in socially approved ways that build desistance capital.

Desistance capital is a form of social capital that is specific to the penal field. However, when enough desistance capital has been accrued it may become transferred for different forms of capital in different fields. For example, the peer mentors were able to use the reference from the peer mentoring charity, the experience as mentors, and their narrative of ‘reform’, to apply for college or university places. As can be seen, desistance capital is valuable because it has transferable value into other areas of society.



### *Navigating the penal field*

On becoming criminalised, particularly for the first time, women lack knowledge about the penal field. The cultural reference points relating to criminal justice for most women do not come from first-hand experience, but through rumour, 'urban legend', forms of fictional entertainment, social media, and local and national news. Therefore, for a more substantial understanding of the processes occurring around them, criminalised women rely on knowledgeable actors to guide them through the process of criminalisation, sentencing and punishment; usually with different guides at different stages in the process. Figure 55 (p302) demonstrates the process of movement through the penal field within the proposed theoretical model.

As women become criminalised, they enter the penal field. Criminalisation generally occurs as women become labelled deviant and the formal process of sanctioning this perceived deviant behaviour begins. However, for some women from specific intersections of class, ethnicity, race, and age - through contact with social practitioners, high school councillors and truancy practitioners, and sexual, physical, and mental health professionals - criminalisation can occur far earlier in their lives. This is because criminalisation cannot be equated to law-breaking; criminalisation is a result of processes happening to an individual, whereas law-breaking is an act undertaken by an individual that has been constructed as criminal (Carlen, 1985). Similarly, we cannot assume that all women entering the penal field have broken the law; inequality and lack of social justice for many minority groups ensure the lived realities of these women are not always fully represented before, or understood by, the courts (Chadwick and Little, 1987). Criminalised women have deviated away from the ascribed norms of 'femininity' enacted by the patriarchal society within which we all exist; a society that prioritises heteronormative, white and middle-class gender performance (Faith, 1993). How women experience this reaction to deviating from traditional gendered social norms as criminalisation is traumatic. The women in this study consistently described criminalisation as

a deeply traumatic experience in their lives. However, importantly, it was also not the first time they had experienced trauma. All the women in this research testified to having experienced trauma in the home, either as children, adults or in some cases both. Therefore, criminalisation must be considered as belonging to a continuum of traumatising experiences within these women's lives.

### *Community punishment/probation supervision*

Within the dashed box in the centre of figure 58 is the mental, physical, and emotional load that must be managed by women as they are supervised within the community. Here, women must work to minimise the effects of the trauma they carry from both criminalisation and prior/ongoing traumatic events (such as domestic violence or grief). This involves working with professionals to find ways of dealing with the traumatic memory of the events. It also requires an understanding of how trauma affects their daily lives, so that they may identify negative behaviours linked to trauma and behave differently. This can often be seen by women engaging in cognitive behavioural therapy (CBT). However, many women are not offered access to mental health services because they are either not considered in need of such services, the services are either unavailable, or the waiting lists are too long. Therefore, the management of trauma often becomes an individual exercise of simply 'holding it together' whilst in front of professionals from the criminal justice service such as probation officers. Ultimately, this can result in the non-management of trauma.

The non-management of trauma was evident in Betty's narrative, where she was continually struggling to manage the grief of her sister's death - with further trauma from abusive relationships and punishment compounding the original trauma, thereby making it unmanageable. She was frequently in need of much emotional support and presented as tearful and sad most of the time I spent with her. The practitioners were sympathetic but saw her as dwelling on the past and needing lots of external motivation to make the

choice to manage the trauma she had experienced. Betty remained within the women's centre, taking part in different cycles of the courses she undertook under punishment. She had become institutionally warehoused.

Whilst attempting to manage trauma, criminalised women must also demonstrate the key characteristics of 'desistance'. These characteristics are dictated by prevalent notions of reform and respectability, which are inextricably linked to middle-class, white, femininity. The study has shown to do this, women emphasized their mothering, homemaking, and the internalised surveillance of their own bodies, through weight management and healthy eating. By showing these characteristics, and therefore emphasising a re-commitment to the normative values of homogenous femininity, the women were considered as desisting.

Women who are unable to demonstrate this, or are unwilling to make this (re)commitment to societal norms in an easily visible way, are at risk of re-criminalisation; either through 'back-door' penal sanctions (such as recall to prison, or further new sanctions) or simply through how criminal justice practitioners assess risk around them. This is because the risk is categorised, and labels applied based on women's behaviours during punishment. Lack of a visible demonstration of desistance will signal unproven but suspected further law-breaking – with women becoming labelled as such as a form of re-criminalisation. Rachel is a key example of this re-criminalisation. Nat introduced me to Rachel as a 'PPO' (persistent and prolific offender), despite this being her first offence. However, Nat used Rachel's behaviour - of not demonstrating key desistance characteristics in a suitable convincing manner, and her relationship to other members of the group subject to punishment - to deem her a prolific 'offender', monitor her risk as such, and ultimately increase the surveillance and control the probation service exerted over her life.

The key to understanding how women negotiate the oppressive nature of community punishment whilst maintaining the daily routines of

motherhood, homemaking, work in its various forms, and self-care, is to think about how demonstrating desistance and managing trauma are experienced and worked together in cooperation and conflict during the period of community punishment.

### *Demonstrating desistance whilst managing trauma*

The model described in figure 55 shows how, as women become subject to punishment, they must start to demonstrate desistance and begin managing the effects of trauma in order to 'successfully' traverse the period of surveillance and punishment. However, the key to building desistance capital within the penal field is to ensure that these processes are completed simultaneously. Unfortunately, the act of managing trauma often places barriers in the way of demonstrating desistance, and vice versa. Therefore, women must perform a complex juggling act that fits within their abilities and structural constraints. When these barriers can be overcome or circumvented, the transition through punishment can occur with relative ease. However, when these two processes clash, the impact on the women's framework of punishment and criminal justice control dramatically alters their experience of punishment, and ultimately their future outcome.

Understanding how women navigate the process of community punishment and probation supervision relies on a series of complex processes working dynamically, and in reaction to, the changing contexts of the women's everyday lives as they co-exist, merge and conflict with the responsibilities and surveillance of community punishment. In the same way that economic capital is built through the selling of services or goods, or social capital is built through gaining an education, desistance capital within the penal field is built through demonstrating desistance characteristics. The main barrier to achieving this, either through rendering a woman unable to demonstrate desistance or preventing the women from utilising the capital that is built through demonstrations of desistance, is trauma; experienced both before conviction and during the process of criminalisation.

Figure 56 offers further explanation of the model to dynamically show how demonstrating desistance and managing trauma can work simultaneously together, or in opposition with one another. Following the axis, we can see that a short time after sentencing, women are syphoned in three distinct directions; re-criminalisation, institutional warehousing, or 'success'. It is only through becoming viewed as a 'success' that women can exit (or appear to exit) the penal field. The following sections will discuss how only managing one of these processes will result in either institutional warehousing or re-criminalisation.

### *Demonstrating desistance, not managing trauma*

To demonstrate desistance, criminalised women must (re)commit to the normative gender values of the dominant group. For women in England and Wales, the normative values are of middle-class motherhood, homemaking, and personal surveillance through weight loss/healthy eating. This study not only identified these themes in cooperation with the women themselves, who recognised them as key priorities in their lives whilst subject to community punishment but also facilitated a space for these characteristics to be displayed by the women in ways that were not normally available.

Motherhood was a dominant example of how the women used this study to emphasise parts of their lives that would not normally be viewed by criminal justice practitioners. In considering the maternity hospital, and spaces such as nursery or primary school within their maps, the women constructed narratives about motherhood. For example, Sarah showed images of her walking her son to school and discussed her children at length. Showing her walking her son to school was a significant example of making visible how she was prioritising the health and wellbeing of her child above other aspects of their lives. Thus, demonstrating how she now prioritises mothering and her children and is therefore not selfishly a 'deviant' woman.

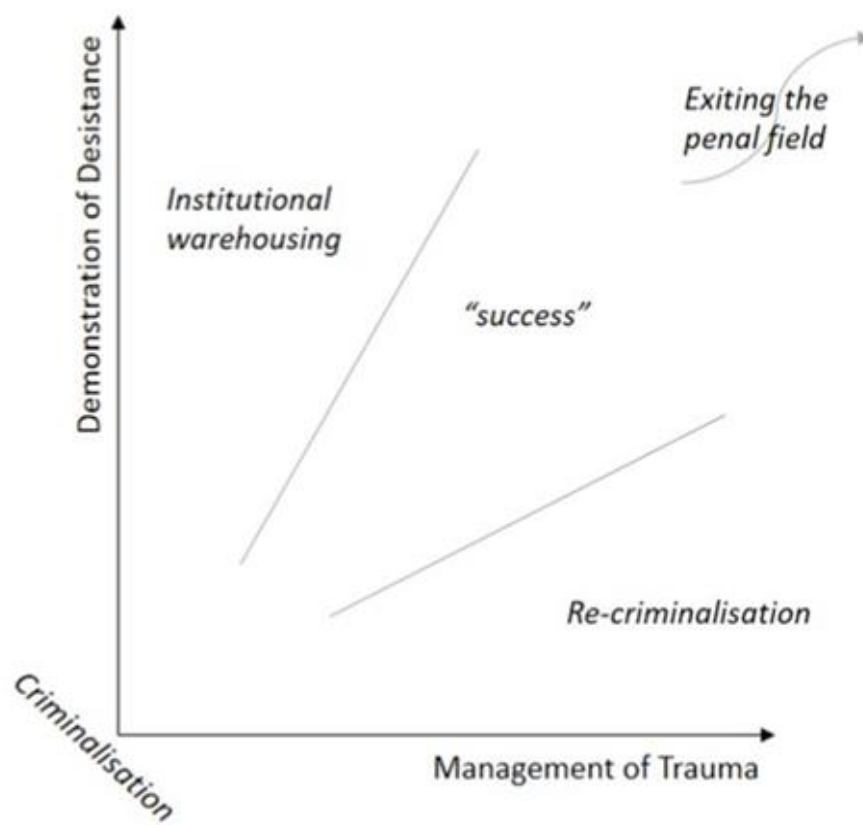


Figure 56 The penal field / theoretical model

The contradiction here between managing trauma and demonstrating desistance is closely linked to the notion of the ideal mother being in a relationship with a man and having a settled family unit. Most of the women in this study had previously experienced traumatic episodes in their lives (such as violence, emotional abuse, and control) perpetrated by men with whom they were in romantic partnerships. As Frances and Jessica considered, when thinking about what kinds of life they wanted for themselves, they both pointed to '2.4 children, white picket fence, kind of life'.

However, they both recognised that to fit this dominant mould required both mother and father. To try to achieve this, some of the women, such as Sarah, remained with abusive partners for the sake of their family unit, whilst others, like Jessica, left. However, both Sarah and Jessica struggled to manage the residual/current trauma produced within these scenarios and the realisation that they could never have the idealised version of family life which we are all taught to aspire to within a patriarchal society that prioritises white, heteronormative nuclear families.

Not all clashes between demonstrating desistance and managing trauma are due to how demonstrating desistance can conflict with managing trauma; sometimes it is due to previous traumatic life experiences. For example, as mentioned earlier in the chapter, Betty's previous trauma of her teenage sister dying through cancer when Betty was in her early 20s was blocking her ability to demonstrate desistance in the ways necessary to grow capital within the penal field. Now as a woman in her thirties, she lives her life through rituals of Memoriam. Whilst her photographs appeared to be related to hobbies (music and home life), nearly all the subjects of her photographs (such as a bass guitar, a music poster, and a tidy bedroom) were not directly related to her; they were items and spaces that belonged to her sister that have remained untouched since her death.

The everyday context of living her life around the constant sites of Memoriam meant that Betty lived in a constant state of trauma. The constant focus on her grief, rather than her situation, meant that whilst she could demonstrate desistance in some ways (such as motherhood and homemaking), she did so through the lens of grief which marred her ability to exit out of the penal field. Betty remained in the women's centre despite her punishment ending. She did not feel that her situation had changed; she was still being treated for depression and did not feel like there was much to strive for. As she was able to display a satisfactory level of desistance characteristics - mainly due to no dependence on drugs, or other forms of overt deviance - she had not been recriminalized. However, due to her ongoing battle with grief, mental health and trauma, she remained in the protective space of the women's centre, thereby becoming institutionally warehoused.

### *Managing trauma, but not demonstrating desistance*

When a woman enters the penal field, the level of trauma she has experienced, both during criminalisation and in her life before punishment, is different for each woman. The level of trauma experienced relates to specific intersections between major stratifications such as class, race, ethnicity, (dis)ability, age, and/or sexuality. These intersections create vulnerabilities which, when abused, lead to trauma. Whilst all women who enter the penal field carry some level of trauma - from past relationships, grief, or criminalisation itself – it is important to recognise that some women find it easier to manage their trauma than others. Managing trauma was displayed in two particular ways within this research - laughter and imagined futures elsewhere - both of which impacted on a woman's ability to demonstrate desistance in very specific ways.

As discussed in chapter 5, a side effect of acknowledging and talking about trauma within this research was through laughter. The research space gave the women the opportunity to talk about topics that affected them deeply



and were often at the heart of traumatic experiences. One way of dealing with this trauma was to make jokes and laugh at the situation. Bussie (2015) found the same approach to trauma in victims of some of the worst oppression and dehumanisation. She called laughter a key form of 'ethical and theological resistance'. However, as the practitioner's responses show, we moralise and add meanings to laughter. Therefore, the laughter by the women who were relaying stories of oppression and dehumanisation (from abusive relationships, systems of inequality, and the CJS) was deemed to be inappropriate, 'sick', or making a mockery of the justice system. As such, laughter contradicts the characteristics of desistance. It is seen as inhumane to laugh about traumatic topics, whilst also belittling the topic. As such, any attempt to discuss past trauma whilst using laughter as a coping mechanism is viewed by the criminal justice practitioner as disingenuous and is ignored.

Frances, for example, had a period earlier in her life where, during her criminalisation, her child was removed from her care. When she discussed the incident, she made a joke about her daughters' behaviour at the time, referring to her as a 'little madam' and laughing about it. Whilst Frances was still very hurt and traumatised by the removal of her child, laughter and making jokes about it allowed her to talk about the traumatic incident. She later told me that she joked about it because she felt awkward talking about it, not because she doesn't think it was a serious issue. However, as a result of her laughter, Frances was pulled aside by the practitioners to discuss her behaviour. This was a clear example of how laughter stemming from the (mis)management of trauma could disrupt the demonstration of desistance, and instead, lead to a (mis)perception of elevated risk and increased surveillance.

### *The roles of the female practitioner and the peer mentor*

In any area of criminal justice, there are knowledgeable actors to guide the newly criminalised through the process of criminalisation, punishment, and rehabilitation. Within community punishment for women, that is usually the

female practitioner in the women's centre and to a certain extent the peer mentor. The female practitioner acts as a facilitator of punishment, but also a source of support, a process guide, and a key holder of knowledge. She plays an important role for women in the processes of managing trauma and demonstrating desistance. Indeed, the demonstration of desistance is primarily for her and other practitioners in positions of power over criminalised women. The interactions between the women during this study showed that they did not feel it necessary to demonstrate desistance characteristics to each other. When Nat was at the other end of the table or had left the room, the women would speak about issues around mothering very differently than when she was present. A good example of this is the way Rachel only added 'trying for a baby' at the end of her map when prompted to by Nat. In other words, Rachel only added motherhood because she was aware that Nat would view it positively.

In the multiplicity of the female practitioner role, she also becomes the focus of mimesis (Taussig, 1993). She is not only observing the women, but they are also observing her. The way the female practitioner acts and presents herself reinforces approved norms of femininity through the process of mimesis. The women who work with her are exposed to the power that she holds both over them and within the wider penal field. To achieve the same sort of power by increasing their habitus within the field, the women model themselves on her. The key messages signalled to the women through mimesis are those that reinforce normative values of femininity. This is not because the female practitioner embodies those norms and values completely herself, but because within the context of a patriarchal society, she is also working towards the achievement of the dominant form of femininity. Therefore, for criminalised women, the female practitioners are present to observe, collect, and analyse them, but, alongside the peer mentors, also to be observed and analysed herself by them so that they may identify and therefore demonstrate the desired desistance characteristics.

The role of the female practitioner and the peer mentors extends beyond that of being a mimetic role model. A key finding of this research was that practitioners are not able to bear witness to the trauma experienced by criminalised women. Whilst the women's centre setting aims to promote female empowerment, this conflicts with the harm caused by punishment. As such the practitioner cannot soothe the pains of punishment and empower women whilst simultaneously inflicting punishment. Previous criminologists have emphasized the power of the practitioner to assist the criminalised individual in overcoming trauma (Anderson, 2016; McNeill *et al.*, 2017). However, whilst the female practitioner can seek out and provide some therapeutic interventions, she cannot 'bear witness' to the trauma that she is herself contributing to whilst performing and facilitating punishment. However, as the peer mentor role is situated between that of the newly criminalised and the practitioner, the peer mentors can empathise with the newly criminalised women from their own lived experiences. As such, the women themselves and the peer mentors have the opportunity to bear witness to each other's trauma in ways that the practitioner cannot.

Whilst the peer mentors' similarities to the newly criminalised women offer opportunities to bear witness, how peer mentors emulate the attitudes of the practitioner can add a barrier to assisting criminalised women in managing trauma. This is because the female practitioner acts as a barrier to the management of trauma through the over-emphasis on individual choice. This places an over-emphasis on the women's agency and flattens the impact of structures of inequality and power that surround the women's lives. As part of the mimesis process, the peer mentors reproduce ideas of individual choice, again over emphasising both their own and others agency. The notion of choice and free will in these circumstances overlooks the inequality and abuses of power the women have felt in the domestic sphere, the workplace, and now the CJS. As such, both the peer mentor and female practitioner can act as barriers to the management of trauma.

### *Exiting the penal field*

So far, this chapter has described the experience of women subject to community punishment through describing and theorising the complex processes of demonstrating desistance and managing trauma that a criminalised woman must juggle to progress through their community punishment without receiving further criminalisation. However, it is not simply enough to say that if a woman is not recriminalized during punishment then the outcome is leaving the penal field. Criminalised women do not automatically leave the penal field the day their sentence ends. Whilst some women will be able to exit the penal field, some will become re-criminalised, and some will remain within the penal field without further punishment. As highlighted in Figure 55, the three main outcomes for women punished within the community are re-criminalisation, 'success' (by exiting the penal field), or institutional warehousing.

### *Re-criminalisation*

Regardless of any further wrongdoing or law-breaking, there are always some women who become re-criminalised during their community punishment. This can be through back door sanctions due to ignoring or fighting the conditions of punishment, leading to further sanctions or sometimes imprisonment. Alternatively, it can be through accusations of a new crime and a new sentence becoming applied. Finally, re-criminalisation can occur through the application of labels such as 'high risk' or 'persistent prolific offender' that become attached to women through their interactions with criminal justice practitioners; often unjustifiably so and based on arbitrary calculations which do not reflect the lived reality of the individual woman. This, in turn, alters the experience of punishment for women unable to demonstrate desistance characteristics, as it heightens surveillance and tightens the controlling grip of the CJS over their everyday lives.

### *“Success” story*

The behaviour of women as they interact with practitioners within the women’s centre offers an indication of the likelihood of further criminalisation for a woman under their charge. It is also possible to see which women the practitioners believe will become a success story, since they interact with, and discuss, them very differently to the other women around them. These future success stories are given positive nicknames; for example, it was common to have certain women introduced with the phrase ‘meet our little star’. Those deemed to be future successes by the practitioners are often given more of the tools needed to exit the penal field, such as greater responsibility over their fellow women during volunteer roles, which can then be transferred into experience for job applications. This, in turn, gives them access to training opportunities that they can use to get certificates of education, thereby building their capital in ways that are transferable beyond the penal field.

It is important to note here that those who were identifiably on the trajectory to exit the penal field were nearly always women who had enjoyed a certain level of social, cultural, and economic capital before criminalisation. Criminalisation was a blip on their life course that, whilst it had impacted their lives and positions in society greatly, criminalisation did not strip them of their entire social, cultural, and economic capital. For example, Christie was criminalised following a relationship breakdown in her 50’s. Prior to this, she had owned a business with her ex-husband and during the time of the research she was already exchanging the desistance capital she had accrued during punishment into social capital in other fields; most prominently through a job as a radio co-host of a regional radio channel, discussing key criminal justice matters. In contrast, Rachel, who the practitioners had already been written off as being a future repeat ‘offender’, did not have the same level of social, cultural and economic capital on criminalisation. Rachel did not have a job, had not completed formal education, was in debt with doorstep money lenders, and had a very

small circle of friends and family who were also in contact with the criminal justice system (her mother and sister also attended the women's centre for punishment).

The peer mentors and other women that were singled out for success were often those who appeared to be managing trauma and demonstrating desistance with the greatest ease. This can be because of the capital they held before criminalisation, but they can display trauma in ways that are recognised as trauma, or at the very least mental distress, by the practitioners. As such, how they managed trauma did not disrupt how they demonstrated desistance, it was recognised as a trauma response. Becoming criminalised for these women was a shock and interruption to their otherwise 'normal' lives. As such their response to criminalisation were easily identified as trauma responses, such as crying and depression, that were noticed and acted on by practitioners with referrals to CBT and counselling services. In contrast, those women with less social, cultural, and economic capital before criminalisation - often those who had been repeatedly criminalised for low-level deviance and law-breaking and/or were demonstrating trauma in ways that were not deemed appropriate by the practitioners (such as through dark humour) - were often not viewed as in need of such services because they did not display their trauma in an 'acceptable' manner. As a result, they did not receive the professional help they needed to manage the effects of trauma.

Not all ways of managing trauma acted in opposition to the women's ability to demonstrate desistance. Using maps and letters to their future selves, the women in this study were able to look forward to what might come in the future. None of the women had thought about action planning future goals before. Therefore, many decided to use this space as a mechanism to draw imaginary futures; most of which were elsewhere. In part, this was because 'elsewhere' they were not known as criminalised and so did not feel the stigma of the criminal label. Structurally, most of the women did not have the social, economic, or cultural capital to make the moves 'elsewhere' that

they desired. However, they used this space to demonstrate a desire for normative femininity by imagining futures that did construct them as ideal mothers, with ideal homes, and ideal bodies. The imagination, as Herman (1992) attests, is a key part of rebuilding the self after a traumatic event. However, for criminalised women rebuilding the self in imaginary terms as a 'reformed' woman allows both management of trauma and the demonstration of desistance. When both processes work together, the outcome is success and exiting the penal field.

Future 'success' stories can generally be predicted from fairly early on in their contact with probation services. Due to these women's relatively high levels of most forms of capital (in relation to the wider criminalised group) they can make convincing demonstrations of desistance, primarily because all that is needed for them is to show a (re)commitment to the values and norms they have already spent their lives conforming to before criminalisation. They do not have to learn to be a 'respectable', they just need to recommit to being 'respectable'. Whilst the trauma these women face may seem to be more intense than others, it is just the women displaying their trauma in a way that the female practitioner expects it to be displayed; which results in it being acted on.

Success stories are those women who can exchange the desistance capital they have accrued (by demonstrating desistance characteristics and managing trauma), whilst also taking advantage of the benefits (in the form of access to education, training, and employment opportunities) afforded to them precisely because of the desistance capital they have accrued. As they exchange this desistance capital from the penal field into other fields, such as further or higher education, they have successfully transitioned out of the criminal justice intervention and become 'whole citizens again'; they are rehabilitated. However, in contrast to these success stories, are those women who, despite managing to navigate community punishment without becoming re-criminalised, become institutionally warehoused rather than exiting the penal field.

### *Institutional warehousing*

Generally, when we imagine whether a punishment has been a 'success' or not, we consider what proportion of those who experienced that punishment goes on to re-offend. Whilst arguments have been made around the length of time someone has to have not reoffended before they can be considered to be desisting from crime, generally, those who do not go on to break further laws are considered to be desisting (McNeill, 2015). As such, it is assumed that once an individual is 'reformed' or desisting from crime, they are no longer subject to criminal justice sanction or intervention. The outcomes for an individual who has experienced punishment are not as binary as reformed and desisting, or a 'success', or recriminalised and reoffending, therefore a failure. This research found that 80% of the women completing unpaid work during this research remained within the women's centre beyond the end of their allotted sentence for at least three months. This limbo between completing the punishment requirement and remaining within the penal field is institutional warehousing.

Institutional warehousing is when criminalised women complete their sentence to punishment but return to the centre sometimes daily as it has become a routine part of their everyday lives. Rather than moving on they are becoming 'warehoused' in the institution of the women's centre itself. This warehousing effect may be due to the attachments that the women have made within the women's centre, with the practitioner, other women, or the space itself. As the centre offers a wide variety of activities and facilitates programmes run by external service providers, this 'institutional warehousing' effect could be due to needs that do not directly relate to punishment being met. There is also a developed community amongst the women who attend regularly, as such the attachment occurring may be between the women to each other rather than to any particular service.

On paper, these women would all be considered to be successfully desisting and therefore no longer in need of criminal justice intervention. However,



they remained in attendance at the women's centre long after their sentence had ended, completing the same regimes of punishment but on a voluntary basis. Generally, these were the women who had been able to successfully demonstrate desistance but had not yet managed to overcome their trauma. As such, they needed the support that was offered at the women's centre, in terms of support groups, access to mental health professionals etc.. However, as these women had originally accessed the centre for punishment, their continued presence was not differentiated from the experience of criminalisation. It was not assumed that they were accessing the centre for reasons other than punishment. As such, the courses they were offered and the activities they took part in were linked to criminal justice and punishment.

Whilst these women had completed their punishment, their trauma had not been managed and the external structural challenges they faced (such as poverty) remained the same. During community punishment, new routines developed that were centred around appointments at the women's centre. These new routines quickly become a mundane part of women's everyday lives. Beyond punishment - particularly in a climate of austerity where funding for services linking the penal field with more mainstream opportunities are scarce - there are very limited services for women to transition to that are not explicitly linked to punishment. For example, mainstream mental health services are not sufficiently staffed to deliver a service to the many women who have experienced trauma in the CJS that is comparable to that found at the women's centre. Therefore, many women, like Betty, for example, stay in the women's centre and create smaller worlds with new daily routines that revolve around the support they can access there. The problem this creates is that, with the women's centre now being a penal site, remaining in the women's centre means becoming institutionally warehoused permanently in a state of 'semi-punishment'.

To fully understand the importance of the outcome of punishment on the daily lives of women, and how structural influences, such as policy changes,

shape their experiences, it is important to view re-criminalisation, ‘success’, and institutional warehousing within the current policy context. This is essential to appreciate that processes of criminalisation, re-criminalisation, and ultimately resisting (re)criminalisation, are not necessarily determined by the individual’s actions or behaviours. Rather it is how their actions and behaviours are perceived within predetermined structures that decide the individual women’s outcome.

### *Punish, support, or empower?*

Just over ten years ago the Corston report (2007) was published. This was followed up seven years later by ‘Transforming Rehabilitation – a strategy for reform’ (Ministry of Justice, 2013) How women are punished within the community over the last ten years has been predominantly shaped by this influential report and strategy. Both have informed changes to policy that have resulted in changes in how women are dealt with within the CJS. Whilst the Corston report (2007) and TR have determined how women experience punishment, they cannot be understood in a vacuum; this experience cannot be removed from the structural oppressions that are manifest within the institutions and spaces within which women’s lives are lived. Therefore, the intentions of Corston (2007) and TR and the lived realities of these intentions cannot be considered the same.

In the Corston Report (2007), for example, great emphasis was placed on the movement away from imprisonment and towards women’s centres that would deal directly with the specific vulnerabilities of the individual woman.

‘The thrust of the report was that women’s vulnerabilities should be identified and worked with to reduce their offending behaviour and that ‘community solutions for non-violent women offenders should be the norm’ (Annison & Brayford, 2015: 1; Corston, 2007: 9).

In the report, Corston (2007) identified three categories of vulnerabilities experienced by criminalised women: domestic circumstances, including

domestic violence and childcare responsibilities; personal circumstances, such as mental ill-health or substance misuse; and socio-economic factors, such as poverty or isolation (Annison & Brayford, 2015). The women's centre accessed during this study was identified by the practitioners who worked within it as built on the principles of the Corston Report (2007). However, while the interventions they offer are based on the categories of vulnerability identified by Corston, the centre does not, for example, have any childcare facilities or allow women to bring children on site. Furthermore, there is a strong emphasis on choice within the centre, with many of the activities in the centre modelled around making 'better choices' – for example, picking a better partner with guidance from the Freedom Programme, ending addictions through abstinence-based support groups, and simply choosing not to re-offend. Strikingly, very little work is based on achieving better structural conditions for women, through, for example, activism, advocacy, or knowledge building.

TR, similarly, did very little to address the specific gendered needs of women. The strategy called for the part-privatisation of probation services, with high-risk offender provision remaining within NOMS and low/medium risk provision being outsourced to privately run CRC that were 'paid by results'. No specific contracts were awarded for specific gendered services. To address this, rather than develop their own gendered programmes, CRCs simply outsourced this provision gender-specific providers such as women's centres. The women's centre not having space or funding for childcare, for example, must be viewed in a policy context where women's services are not being directly commissioned, but rather a subcontracted out afterthought which does not allow funding for long term sustainable projects such as a nursery to accommodate criminalised women's children while they attend intensive community punishment and probation supervision sessions.

The emphasis on community settings as a space to decrease the number of women in prison by Corston (2007) seems to remain a contradiction to the

aims of TR, which refuses to make separate specific provision for women within community services. Investment in the community, far beyond spaces of community punishment, is needed to be able to deliver a declining prison population. By being sub-contracted by CRCs to deliver gendered punishment, some women's centres are sacrificing their own ethos and that of the Corston report (2007) of empowering and supporting women, by becoming facilitators of punishment. As can be seen, the key principles of the Corston report (2007) and TR are in direct conflict. The structures for funding gender-specific community provision are now dictated by a failing private system, whose directive does not prioritise the need for separate gendered services.

TR has prompted an environment in the criminal justice sector whereby women's centres are now bidding for and delivering punishment, often in a payment by results contract. As such, the commissioning of gendered punishment in women's centres should be viewed as a further widening of the carceral net (Tomczak, 2015). Punishment now occurs in a space that was historically meant for healing, empowerment and support; where women had the possibility of building resistance and resilience to the structures that had led to their criminalisation in the first place. The introduction of CRCs has made community punishment a business, with the bidding for gendered contracts by women's centres often an act of financial survival for women's centres. With many other services on offer at the women's centre, such as mental health or addiction support, greatly underfunded, payment for unpaid work contracts can be rationalised or legitimised by the women's centre leadership team as financially floating other services provided by the women's centre for criminalised women.

Many of the peer mentor/success stories in this research completed their punishment before the introduction and roll-out of TR. Their success and position as peer mentors were developed through access to services beyond the women's centre. Services such as the peer mentoring project that offered routes out of the penal field via employment, training or education.

However, in a climate of austerity, these services are struggling to survive. With contracts that were previously in place with the probation service no longer available, non-profit organisations that do not offer punishment are having to close due to lack of funding. As each service closes, the routes out of the penal field become less accessible, even to those women who can demonstrate desistance and manage trauma. This leads to an increase in the number of women who are institutionally warehoused in women's centres; no longer subject to punishment but with nowhere else to go.

Whilst the Corston Report (2007) helped grow the number of women's centres, TR is systematically turning them into spaces of greater gendered social control. Institutional warehousing ensures that the population using women's centres is rapidly growing rather than remaining steady, as more women move in but are not able to move out of the women's centre space. Statistics show that, despite community interventions being used to reduce the use of incarceration, the number of women going to prison is steadily rising (Prison Reform Trust, 2019). The introduction of TR, without specifically taking into account the recommendations for the Corston report (2007) and funding gender-specific services, has meant that more women than ever are becoming criminalised, with little chance of exiting the already oversubscribed services.

### *Making space for gendered demonstrations of desistance*

This chapter has brought together and discussed the results of this research through the proposal of a new dynamic model that shows how women navigate the power dynamics of gendered institutional social control. However, a key discussion point that cannot be ignored is how this model became apparent. The model required the knowledge offered by the women in this study, demonstrating key aspects of their daily lives through images, maps, and letters. However, it also required observations of the dynamics between criminalised women, peer mentors, and the female practitioners that also occupied the penal field. The use of traditional qualitative methods, or the more innovative creative methods used in this study, alone would not

have illuminated the necessary observations for the development of this new theoretical model. It was through the space made by the PAR methodological process that the opportunity arose for the women in this study to fully demonstrate the model in practice.

Whilst the PAR process struggled to fulfil its promise of flattening power hierarchies between researcher, the researched, and other stakeholders in a model of co-production, it offered a space that offered an opportunity for women taking part in this study to both manage trauma and demonstrate desistance in ways normally not available to them; as such the space brought normally hidden aspects of the experience of punishment into the open. For example, a key aspect of the findings relating to demonstrating desistance is motherhood. Yet women cannot take their child and actively show their parenting skills to Nat because children are not allowed in the women's centre. Aside from talking about their child, they have no other way to demonstrate their skills as a mother, in turn limiting their ability to demonstrate desistance. The space made by PAR meant that the women could represent their mothering in multiple ways that were, pictured (photographs and maps), discussed (verbally and in letters), and imagined or aspirational (dear future me letters). These ways of displaying positive representations of motherhood were primarily for the consumption of Nat, using the opportunity of the research to demonstrate desistance in ways previously blocked by the women's centres no children on-site rules.

The space made by PAR offered time for thinking and reflecting on their experiences, sharing with Nat, myself, and with each other. This is time not normally afforded to the women due to the multiple, sometimes conflicting, demands on their time. However, making space for reflection and thought is crucial for self-development. By taking the opportunity in the space to demonstrate desistance (by using the data collection tools to show new representations of themselves) and managing trauma (by sharing experiences with each other and having them validated by each other in a

process of 'bearing witness') how the women used the space became a form of action.

As discussed in section 3.3, for participation in this co-produced research to be meaningful, the level of participation aimed for was transformative participation. However, how the women in this study made action towards transformation was not through participation in every stage of the PAR cycle, but through how they used the research space. Some used this space to build desistance capital that in turn helped them navigate their way through the penal field. Because of this, the understanding of women's experiences of punishment that was gained from the PAR process simply could not have been captured using any other research methodology.

Whilst it is told that PAR is a methodology that would flatten power hierarchies found in research contexts, when researching with those subject to punishment PAR cannot flatten the power hierarchies found within the criminal justice system. Rather than simply ignore this dilemma, the space created during the PAR cycles crucially held a spotlight to existing power dynamics, such as those between the criminalised women and the criminal justice practitioner Nat. Making visible how the power of the criminal justice system and its agents wield power over criminalised women's lives far beyond the penal field and situational contexts of community punishment. PAR may not have been able to place Nat and the criminalised women on an equal power footing, but it did make space that highlighted the depth and impact of the power dynamic between the criminalised woman and the criminal justice practitioner whilst also offering room for the criminalised women to learn how and to put in to practice ways of navigating criminalisation safely and without recriminalisation.

### *Conclusion*

It feels difficult to conclude this research, as the findings opened up a new line of criminological enquiry about how punishment in the community in England and Wales impacts on the life experiences of criminalised women.

This chapter will consider the context of the research, the research questions posed and how these were responded to, the significance of the findings in the production of a new theoretical model, before considering the implications for future research and criminal justice policy. Finally, this conclusion will highlight how, whilst this research has come to an end, it begins my commitment to illuminate, understand and activate the 'view from below'.

The choice to focus this research on women experiencing community punishment was important in personal, political and disciplinary ways. From a personal perspective, I benefitted from the initial interest and injection of financial and expert focus as I was a woman subject to probation supervision in a women's centre within 18 months of the implementation of the Corston report (2007). Politically, the enactment of TR, one of the most significant recent changes to the structure and delivery of probation practice, right at the start of this research meant that this research was extremely timely in capturing the potentially new experiences of individuals subject to community punishments and probation supervision. From a disciplinary perspective, 'mainstream' criminology is only now beginning (through initiatives such as the COST Action: Supervision in Europe) to examine community punishments with the same rigour offered to prison research (McNeill and Beyens, 2013). Whilst feminist criminology, which has been growing in strength and resolve over the past 40 years with more emphasis on women beyond the prison estate (Plechowicz, 2015; Clarke and Chadwick, 2017), has inspired a new wave of critical researchers (Elfleet, 2018; Barr, 2019; Greenwood, 2019) that are specifically interested in the lives and experiences of women subject to punishment within gender-specific community settings.

The use of participatory and feminist methodologies to extract a genuine understanding of women's everyday experiences of punishment within this study offered a structural commitment to understanding how punishment intersects with the lived realities of this group of women. By offering a



plethora of creative and easy to complete research tasks to choose from, the women were empowered to control the shape of the research, and thus attention was given to the areas of importance they identified, not ones that criminal justice policy, reports or criminological theories state as important. This shift away from traditional qualitative inquiry shifted the balance of power from the researcher towards the women who participated. However, coproduction does not guarantee that power is fully shared, nor that participants will want to participate. However, overall the dynamics of coproduction and creative methods offers a novel contribution in the form of advances in criminological research that empowers, engages and prioritises the needs of vulnerable participants as part of the research process itself (see Harding, 2020).

The questions this research set out to answer were born from the original issue of understanding what it feels like to be a woman subject to community punishment in the post-Corston, post-TR, era. As such the original research questions were developed in early planning sessions with peer mentors with the aim of creating research that was personal and political.

1. What are the experiences of women subject to punishment in the community?
2. How does community punishment and supervision intersect with the everyday lives of women subject to such sanctions?
3. How does criminal justice policy and practice influence how punishment is experienced by women?

The key focus throughout this research has been on the experiences of the women subject to punishment who gave their time and energy and shared their experience so generously. As such, to accurately answer the first of these research questions I must point to the experiences of women subject

to community punishment presented across the three findings chapters of this research (see chapters 5 to 7).

When considering the question of what are the experiences of women subject to punishment in the community? The overarching experience for the women in this study was trauma. Chapter 5 shows that criminalised women are contending with multiple incidences of individual trauma (such as domestic abuse) and/or traumatic contexts (such as poverty). This research also shows that the process of criminalisation - from arrest to court appearances, labelling, and public shaming, and punishment itself - needs to be considered as a trauma-producing event, regardless of the sentence received. Irrespective of whether a prison sentence or community sentence is the outcome, the activities leading up to punishment are traumatic. As such we can see that punishment in the community simply compounds the traumatic experiences already evident in the women's lives.

Rather than simply documenting the experiences of women subject to community punishment, chapter 6 looks at the relevance of women's wider roles in society and how these become important when punishment occurs in gender-specific settings. As such chapter 6 answers the question of how community punishment intersects with the everyday experiences of criminalised women; such as motherhood, homemaking, and transformation of the body and mind. It recognises the distinct ways in which 'deviant' women are constructed, and how feminising practises merge with notions of reform. As criminalised women are constructed as abnormal or atypical, how women become corrected is by reformation into the 'ideal' woman role. The experiences and images produced by the women in this study offer an understanding of how punishment is experienced as a gendered activity. They show that as women undergo punishment, the important key points to share about their identity are those that make them appear more feminine, womanly, and respectable. These notions are constructed through the feminising practises of the women's centre, and as

highlighted in chapter 7, reinforced by the perceptions, attitudes and behaviour of the female practitioner through a process of mimesis.

The impact of policy on how women experience community punishment can be seen most sharply in the women's centre. The women's centre is now a liminal space that, since TR, has become a part of the penal field by conducting unpaid work and greater partnership working with probation officers and local police. Previously a place of female empowerment, these are now spaces of punishment and reform, much like the semi-penal institutions of the past that 'reformed' women into marriage or service (Barton, 2000). It is in the interactions between the female practitioner and peer mentors detailed in chapter 7 that help explain how the activities in the women's centre shape women's experience of punishment. The fact that punishment via unpaid work and probation supervision occurs within the women's centre, the activities that take place there and even the skill level of the criminal justice practitioner facilitating unpaid work is directly impacted by TR. This is because the new CRC's outsourced gender-specific community punishment to women's centres as a cost-saving measure, rather than build their own services. Within the women's centre, sessions such as educating victims of domestic violence how to choose a 'better' partner next time, flower arranging, gardening, hair and beauty, and cooking skills, run side-by-side with punishments, such as unpaid work hours, community service, and probation appointments. Whilst it is easy to be critical of some of the feminising practises evident in women's centres, it is important to consider the increase in self-confidence and general wellbeing that healthy eating, alternative therapies, and hair and beauty can offer women. However, since the advent of TR, the emphasis has been placed on those activities that can be delivered cheaply by lower-skilled practitioners, thereby filling the gaps where more meaningful, but expensive, interventions such as therapy should be offered.

The impact of TR on women's experiences of punishment can be understood through this research as creating increasingly difficult structures for women

to navigate, whilst simultaneously holding back the tools needed in order to navigate the structures of punishment successfully. It is not necessarily that the activities in the women's centres are detrimental, it is more that post-TR the activities offered contribute to an environment of surveillance, reform and punishment within a space considered 'safe'.

The model offered in this chapter offers a new theory that demonstrates dynamically how, to navigate punishment safely, women are expected to manage the trauma they have experienced in their lives, whilst also demonstrating gendered characteristics of desistance. However, whilst exiting the penal field through education, employment, or volunteering opportunities is viewed as a 'success', none of the services on offer within the women's centre provides opportunities for a woman to increase her chances of achieving these goals. As such, it is often the women's resources - such as levels of social, cultural and economic capital before becoming criminalised - that assist in both the management of trauma and the demonstration of desistance. Those with higher levels of social, cultural and economic capital on becoming criminalised inevitably navigate the institutional structures of punishment with greater success than those with lower capital (in its various forms) at criminalisation.

The amount of social, cultural, and economic capital a woman held on criminalisation, and the amount of 'desistance' capital that she can accrue during her time in the penal field will ultimately decide if she will be recriminalized, deemed a 'success story', or become institutionally warehoused. The theoretical model proposed identifies how the social interactions that occur in specific spaces of community punishment and supervision determine the opportunities that are offered to women to 'reform', and ultimately the overall outcome of their contact with the CJS. This is a significant contribution to knowledge that shifts the emphasis away from the focus on individual identity change required for desistance, towards an understanding of how oppressive structures are navigated by women. The model helps us understand the social processes that occur

(managing trauma and demonstrating desistance), the role of key actors in manifesting and reinforcing oppressive structures (through gendered mimesis) and reframes the theoretical contribution of desistance to gender-specific criminal justice interventions.

The emergence of this theoretical model was made possible due to the space made by the feminist PAR approach to this research and the use of creative methods. By collaborating with criminalised women, offering flexibility over the time used to create this research, and prompting them to make key decisions such as what data collection methods should be used and who should take part, the research space produced creative data, participatory analysis and situational observations of criminalised women working together and with the female criminal justice practitioner. Without this space, the experiences of women subject to punishment in the community would have remained partially obscured. This is because the dynamics between the female practitioner, peer mentors and criminalised women situationally altered how women were compelled to share their experiences; with the influence of the female practitioner becoming a key point of analysis.

The female practitioner plays an important role within gender-specific criminal justice provision, such as unpaid work in women's centres. She simultaneously demonstrates to the criminalised women she is supervising what a 'respectable' and therefore 'reformed' woman looks and behaves like, through an unconscious process of mimesis, whilst observing the women's ability to reflect these ideals back to them. This social interaction is a gendered mechanism for reform, yet it can also subjugate criminalised women further; both for those that change their behaviour to strive to meet these gendered demands, and those that fail to meet these demands, either by choice or inability. It is the observation of this social mechanism of gendered mimesis within the penal field, and the production of this new theoretical model, that poses questions for future research. Specifically, there needs to be an examination of this mechanism of gendered social

control in other spaces of institutional control. For example, this model could be used to examine the experiences of women subject to child protection proceedings, for women in immigration detention settings, women under psychiatric care, and young women and girls in care, with the mimetic mechanism, potentially occurring between other female agents of state institutions and marginalised women as a form of gendered social control.

Whilst future research may apply the proposed model to other gendered settings both inside and outside the penal field, this research demonstrates that the implications for criminal justice practice is similarly as broad. Since the introduction of TR, there has been an acceleration of the widening of the carceral net, with punishment now occurring in mostly third sector, gender-specific spaces, such as women's centres. These spaces rely on female practitioners to reform and rehabilitate women through mandatory programs of unpaid work or probation supervision. This model demonstrates the significance of the identity, training, skills, and education of the practitioners. As a minimum, this research shows the need for highly skilled and experienced practitioners who offer support based on expertise rather than personal expectations. This should manifest in a diverse workforce, with differences in race and ethnicity, sexual orientation, religious practices or atheism, ability and disability, and lived experience of criminal justice. The research shows the importance of the female practitioner for mimesis to occur, with the women modelling an image of their future desistance based on the behaviours, desires and actions of the female practitioners. A diverse workforce reduces the oppressive nature of this form of mimesis, as it offers multiple ways in which to be a woman in the eyes of the criminalised women. But it also means that resources will not only be offered to those women who reflect back similar characteristics to the white, upper working class, heterosexual, able-bodied female practitioners found in this study. Increasing the diversity of the workforce

would go some way to reduce the gendered oppressions tied up with operating punishment in a gender-specific setting.

However, the critical point of this research has been understanding how gender-specific settings such as women's centres who state their organisational aims as the 'empowerment of women' have been co-opted into the provision of punishment by back door contracts with newly formed CRCs. So, whilst the research demonstrates that CJS settings need to ensure a more diverse and well-skilled workforce across the penal field, it also calls for the removal of punishment from women's centres. This research has demonstrated that it is impossible for practitioners providing punishment, either probation officers or unpaid work practitioners, to bear witness to the trauma felt by criminalised women. They cannot simultaneously help heal trauma whilst also causing trauma through punishment. The identification of the female practitioner's role in reinforcing a particular image of a reformed and respectable woman is oppressive as it emphasizes women's roles in society as mothers, caregivers, homemakers, and aesthetically pleasing, rather than offering skills or opportunities that will assist criminalised women to exit the penal field, such as volunteering opportunities, paid work, or further education. The expansion of the penal field to include women's centres means that women's trauma is no longer addressed in any meaningful way within this space and emphasis is placed on women (re)committing to traditional gender roles rather than having opportunities to become independent women. As such, women's centres need to critically reflect on this position to recognise that they cannot empower women to lead the lives they want to lead whilst facilitating punishment and make women's centres' independent spaces of support for all women – completely disconnected from the criminal justice system.

This research has for me, as a formerly criminalised woman, been a way of highlighting the private troubles experienced by women as they experience punishment in the community. I knew from my own experiences of becoming criminalised, then a peer mentor, before exiting the penal field as

a 'success story', that community punishment was not an 'easy option' and that the personal troubles I experienced were felt beyond my circumstances, but by more women like me. It was by studying criminology and sociology at undergraduate and then criminology and criminal justice at master's level that I began to understand what I had experienced as a personal trouble was quickly becoming a public issue. With the number of women subject to probation supervision and community punishment growing at a far faster rate than the number of women in prison, the emerging issue for criminalised women was not necessarily mass incarceration, but mass supervision. This coupled with the changes to the structure of community punishment after the implementation of TR meant that the personal troubles of criminalised women should be viewed as a public issue. Specifically, the expansion of trauma-inducing criminalisation and punishment now occurring in formerly 'safe' gender-specific spaces focused on 'empowerment' such as the women's centre.

As a woman who has experienced the CJS, I have a 'view from below'. However, this is not enough to produce more diplomatic forms of knowledge production. By inviting women experiencing community punishment and probation supervision into this research as collaborators, the research was able to highlight how very little has changed for women in the CJS. The very basis of women's punishment remains reform through gendered oppressions (Carlen, 1983a; Chadwick and Little, 1987; Clarke and Chadwick, 2017). However, even by employing Feminist participatory approaches, this research remains limited by the voices that remain absent.

Despite this critique, this research did make space for the women involved to engage in transformative practices by demonstrating desistance and managing trauma. It is precisely by taking the methodological approach of feminist PAR that space for transformative individual and collective action was made, and women could exert their agency in how they used this space. By creating the space through this research, and then observing the interactions between the female practitioner and the criminalised women a



theory of navigating gendered institutional social control emerged that may have implications in situations of gendered institutional social control beyond community punishment, such as in women's prisons, and beyond the penal field, such as women subject to child protection proceedings in social work or women detained in immigration detention settings.

I hope that by using my positionality, reflexivity and lived experience - situated in a position of relative privilege now as an academic researcher - means I can use this collaboratively-produced knowledge to build on the research of the critical Feminist researchers before me to push against some of the androcentric knowledge that has traversed the boundaries of research, theory, and now into practice – impacting the everyday lives of women subject to punishment. As such, this research begins a lifelong personal, professional, and political commitment to uphold and extend the responsibility that:

‘critical social research into penal policy and prison regimes has a moral duty, an ethical obligation and a political responsibility to investigate abuses of power [and], seek out the ‘view from below’” (Scraton, 2016, p 5).

## **Appendix 1 – Messiness of research**

A key aspect of the research process when working with criminalised women in a co-produced manner, that can often be overlooked in the telling of the research story, is the messiness of research. Within this thesis (chapter 4), I detailed the process of how the research as designed in a co-produced way, the underpinnings of the process and reflected upon the research activities. Yet, when presented in academic writing this can sanitise the research experience, reducing the process to seeming like a series of scheduled sessions that all ran to a strict plan, seamless and without hiccup or disruption. This appendix will detail the messier aspects of the research process to give a fuller description of the story of this research.

Co-production of research, particularly when coordinating co-produced research as an ‘insider’, is a challenging task. The needs and wants of multiple co-researchers, all from a variety of backgrounds and facing different challenges, need to be taken into consideration, and these are not necessarily communicated in advance or in ‘official’ ways. As such, the research process was often manipulated to meet these needs and desires on the day that research was scheduled to take place. The figure found in chapter 4 (p105) shows the research process in each of the research sites. This shows a process that appears to be neat, well planned and linear as a process. However, the reality of the research was far more chaotic.

Firstly, the decision making over when and how the research activities would take place was pre-planned by myself. However, in order to adapt quickly to the needs and wants of the women in my study I carried all the equipment I would need for any of the activities and offered the women the choice of which activity they would like to take part in. This meant that some sessions were not in the I had planned. Other sessions were disrupted, and we didn’t really do any of the activities at all, we sat and talked a little about the research, but more so about the problems and stresses they had faced that week. On these occasions it was necessary to allow that time and space for

the women to just talk, without audio recordings, and not part of the data collection. This did ultimately build trust and a deeper research relationship, but I also recognised without this time the women would not be able to contribute the way in which they wanted to anyway.

Collaborative research will always be a messy process, yet this is not reflected in the way we write about our research. I have managed to reflect on this further in 'Places on probation: an auto-ethnography of co-produced research with women with criminal biographies', my chapter of the book 'Messy Ethnographies in Action' edited by Alexandra Plows (2018). However, it is unusual to see published research acknowledge and embrace the messiness of the research process in this way. It is perhaps why this became an edited collection in a book, rather than a journal. I do critique the concept of meaningful participation in Harding (2020) by beginning to unpick the messiness of such research, taking a critical look at the rigidity of typologies of participation and the PAR 'spiral'. Concluding that it is in the experience of the research process, and the space that is made during the process that makes collaborative research meaningful both for the participants and the research itself and that this is a messy process.

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